

**STATE OF CALIFORNIA
CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD
SAN FRANCISCO BAY REGION**

**STAFF SUMMARY REPORT (James D. Ponton)
MEETING DATE: August 20, 2003**

ITEM: 14

SUBJECT: **United States Department of Defense, Department of the Army; United States Department of Interior, National Park Service; and the Presidio Trust, for the Presidio of San Francisco – Adoption of Revised Site Cleanup Requirements and Rescission of Order No. 91-082 and 96-070**

CHRONOLOGY: May 15, 1991 - Site Cleanup Requirements Order adopted
May 15, 1996 - Site Cleanup Requirements Order adopted

DISCUSSION: This Tentative Order (Appendix A) is an update of Site Cleanup Requirements for the Presidio, names the Responsible Parties, and sets forth a schedule by which corrective actions must be taken for site investigation and cleanup.

The Presidio of San Francisco (the Presidio) occupies approximately 1,500 acres. The Presidio is bound by the San Francisco Bay on the north, the Pacific Ocean on the west, and the City of San Francisco on the south and east.

The Presidio was a U.S. Department of Defense, Department of the Army (Army) installation from 1846 to 1994 and operated as a military post embarkation point, coastal defense fortification, and medical debarkation center. Over this 150-year period, industrial operations associated with the military's maintenance and repair of vehicles, aircraft and base facilities have resulted in petroleum hydrocarbon pollution of soil and groundwater.

In 1994, the Presidio was transferred from the Army to the National Park Service (NPS). In 1996, Congress created the Presidio Trust, a federal corporation whose mission is to preserve the Presidio in perpetuity for the public benefit. The Presidio Trust has been delegated the cleanup of both the coastal and non-coastal portions of the Presidio.

While staff has incorporated many of the comments that have been submitted by the Presidio Trust, the National Park Service, the U.S. Army, and the Presidio's Restoration Advisory Board into the Tentative Order, there remains a dispute about the naming of responsible parties to the Tentative Order. Staff have attempted to accommodate and resolve the dispute about the naming of responsible parties, however, Board policies require the naming of the U.S. Army, Presidio Trust and National Park Service to this Tentative Order.

**RECOMMENDA-
TION:**

Adoption of the Tentative Order

File No. 2169.6012 (JDP)

Appendices: A: Tentative Order
B: Correspondence
C. Response to Comments
D. Location Map

APPENDIX A

TENTATIVE ORDER

APPENDIX B

CORRESPONDENCE

APPENDIX C

STAFF'S RESPONSE TO COMMENTS

RWQCB Staff's Response to:
Presidio Trust's June 16, 2003 Comment Letter on Tentative SCR

The following presents Regional Water Quality Control Board (RWQCB) staff's responses to comments received from the Presidio Trust on the Tentative Order Site Cleanup Requirements and Rescission of Order Nos. 91-082 and 96-070 for the property located at the Presidio of San Francisco.

In keeping with the format provided by the Presidio Trust in their June 16, 2003 comment letter, staff's responses to comments are divided into two kinds: (1) responses to general, conceptual, or policy comments; and, (2) responses to proposed editorial corrections and suggested modifications.

GENERAL, CONCEPTUAL, OR POLICY COMMENTS

General Comment No. 1

Modifications to Named Dischargers. The Presidio Trust does not believe it is either necessary or appropriate to identify the National Park Service (NPS) or the Department of the Army (Army) as named parties under the revised Order. Naming either of these entities is inconsistent with the legal agreements that allocate cleanup responsibilities among these governmental entities and would be a departure from the RWQCB's previous approach to the Presidio as rejected in Order 96-070.

Order 96-070 only names the federal governmental entity with environmental remediation authority, not the branch administrative authority. In 1996, the U.S. Army had environmental remediation authority at the Presidio while the NPS had administrative authority. Accordingly, the RWQCB issued order 96-070 to the Army, not the NPS. Today, the Trust has environmental remediation authority for the Presidio and the Trust and NPS share administrative authority. Following the precedent set in 1996, the Trust should be the only named entity in the subject order.

The intra-agency agreements between the Trust, NPS and the Army also establish that the Trust should be the sole named entity in the subject order and should provide additional guidance to the RWQCB in this regard. On May 24, 1999, the U.S. Army, the Trust and NPS entered into a kind Memorandum of Agreement (MOA) under which the U.S. Army delegated to the Trust its lead agency status for remediation of pollution at the Presidio (both Areas A and B). Pursuant to Section 2.4 of this MOA, the Army delegated its legal authority under Executive Order 12580 to the Trust to address substances and conditions, including but not limited to hazardous materials, that present or are likely to present a threat to human health or the environment for which an action is required under federal, state and local laws, regulations, orders, etc. in Areas A and B at the Presidio. Thus, the Army should not be named as a party to the Order because under the MOA, the Army no longer retains legal or financial authority to respond to environmental contamination at the Presidio, except for a few limited situations specified in the MOA that do not pertain to the Order (see e.g. MOA sections concerning Unknown Contamination, Radiological Materials, Chemical and Biologic Warfare Agents and Unexploded Ordnance.)

RWQCB Staff 's Response to:

Presidio Trust Comments on Tentative SCR dated June 16, 2003, contd.

Under Section 2.4(b) of the MOA, the NPS concurred with the delegation of Executive Order 12580 authority from the Army to the Trust. In addition, on May 24, 1999, the Trust and NPS entered into the Area A MOA, under which the NPS authorized the Trust to exercise the Army's responsibility for the environmental remediation of Area A (coastal Portions) under NPS' administrative responsibility. The NPS should not be named as a primary discharger because under the MOA, the NPS is not responding to environmental contamination at the Presidio, and will not except for limited situations specified in the MOA and the Area A MOA should the Trust default on its obligations or no longer exist as a Federal Agency.

Naming the NPS and the Army is inconsistent with these agreements governing the current responsibility for environmental cleanup of the Presidio. To contravene the existing agreements could cause disruptions in site management, reduction in the coordination efficiency among the agencies, delays in project schedules required by this Order, and unnecessarily complicate issues involving the available Trust financial resources to complete the work required by this Order. For all these reasons, the Trust urges the Board to forego naming either the Army or NPS as parties to the revised Order.

In addition, since the Army is the party that actually discharged hazardous substances to the environment at the Presidio, the Trust objects to the use of the term "Discharger" when referring to the Trust. The term "Respondent" more appropriately reflects the Trust's role and responsibility for cleanup actions at the Presidio, and the Trust therefore requests that the Order be revised throughout to use the term "Respondent" when referring to the Trust as the party who will be responding to the requirements of the new Order.

Lastly, although three Dischargers were named, the singular term "Discharger" is used on several occasions in the Order and should be corrected to refer either to "Respondent" or "Respondents" depending upon the context.

RWQCB Staff Response to General Comment No. 1
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Comment noted.

The term "Respondent" or "Respondents" is not language utilized in the California Water Code.
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Text corrected to reference the Army, Trust, and NPS, collectively, as dischargers.
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General Comment No. 2

Coordination with Presidio Ongoing Operations. As you are aware, the Trust is under a mandate of Congress with a deadline of July 2013. Thus, the Trust cannot defer its day-to-day operations and capital projects during cleanup, but must act concurrently if it is to successfully achieve its Congressional requirements. The Trust will be proceeding with certain real estate development and construction activities at the Presidio concurrent with the Trust's work to complete the cleanup work required by the Board's Order. The Trust requests that the RWQCB continue to accommodate the Trust's development and improvement work and reflect the Trust's need to proceed concurrently in the text of the Order. To date, the RWQCB has been fully responsive to the operations activities of the

RWQCB Staff 's Response to:

Presidio Trust Comments on Tentative SCR dated June 16, 2003, contd.

Trust as they interact with remediation sites. A key example is the RWQCB's acceptance of the Trust's request to conduct an interim cleanup action (subject to final approval of the Trust's Interim Action Plan) in the Building 1065 Study Area in order to allow the Trust to meet its construction commitments for the new water recycling plant at the Presidio. The Trust appreciates the RWQCB's support and cooperation in such critical Presidio improvements, and urges that the Order recognize the need for this type of flexibility with future Trust projects and park improvements.

RWQCB Staff Response to General Comment No. 2
Comment noted. Staff have made every effort to accommodate the Trust's development and improvement work as that work relates to remediation of soil and groundwater contamination.
The nature of the required Task 1 comprehensive petroleum schedule builds upon that spirit of cooperation. The Task 1 schedule allows the Trust and NPS the flexibility to craft a plan and establish a realistic timeframe for the petroleum program, similar to what is currently done for the CERCLA program.
Please note that the TO is being issued four years after the establishment of the Trust and seven years following the adoption of SCR 96-070. Four years into the process, the Trust has assembled a pool of knowledgeable staff, procured contractors and has gained familiarity with the site and other Trust/NPS internal operations.
Lastly, the TO does not change the cleanup values for soil established in the previous site order, change interim cleanup values for soil agreed to by staff, and addresses data gaps identified by Trust staff. Given the above, staff believes that the Trust and NPS are in a unique/good position to plan the petroleum program and see it through its completion.

General Comment No. 3

Make Schedule Subject to "Best Efforts," Not Penalty Enforcement. Although the Trust does not object to developing a site cleanup schedule as set out in the requirements of the Order, we do have concerns with the potential enforcement of the schedule against the Trust. The Trust is a unique entity that has taken on the unique role of voluntarily accepting responsibility, without any basis for actual past liability, to clean up contamination at the Presidio caused by others. The Trust is not a typical "discharger," nor should it be treated as though it has culpability with respect to Presidio contamination. Further, the Trust has consistently made best efforts to meet all cleanup schedules, and the pressure of Congress' mandated deadline is additional incentive to meet the accelerated cleanup schedules.

That said, certain factors beyond the Trust's reasonable control could significantly affect the Trust's ability to meet the schedule in every instance. For instance, having accepted responsibility to clean up sites in Area A under NPS' administrative control, the Trust

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Presidio Trust Comments on Tentative SCR dated June 16, 2003, contd.

must coordinate closely with NPS whenever it undertakes cleanup action that involve NPS' interests. This coordination as a practical matter often adds materially to the time and effort needed to accomplish scheduled milestones because the Trust must reach agreement with NPS on all decisions before the Trust is authorized to respond to RWQCB schedule requirements (see section 11 of Area A MOA).

Therefore, the Trust objects to imposing a schedule that is potentially subject to enforcement and penalties against the Trust. The Trust has consistently made, and will continue to make, best efforts to meet a remediation schedule agreed to between the RWQCB and the Trust, but the Trust requests that, given its unique role and cleanup responsibility at the Presidio, that the Order not impose penalties for schedule delays, particularly when such delays are outside the Trust's sole control.

RWQCB Staff Response to General Comment No. 3
Comment noted. Staff recognizes that the Presidio is unique with regards to its setting, but is similar to other converting former Department of Defense sites with respect to the many challenges posed by site rehabilitation/redevelopment activities.
The potential civil liabilities for failure to comply with an Order that are outlined in the TO are based on California Water Code Sections 13268. These civil liabilities are not unique to the Presidio but are common to all Board orders.

General Comment No. 4

Allow for Contingency Action Sites. The new order should acknowledge that the Trust is preparing a ***Contingency Action and Contaminated Soils Cleanup Plan (CACSCP) dated June 2003*** that will guide the cleanup of petroleum contaminated soils that are not identified in this Order and are discovered after the finalization of this Order. Cleanup of petroleum-contaminated soils in accordance with the CACSP is the most efficient and effective means to facilitate the timely implementation of the Trust's day-to-day leasing and maintenance activities and other park improvements at the Presidio. The Order should provide that contingency action sites be closed out individually or in groups by site-specific reports prepared by the Trust as required by the RWQCB.

RWQCB Staff Response to General Comment No. 4
Comment noted.
RWQCB staff has not been briefed on the content of the subject report, nor has RWQCB staff requested that the Presidio Trust prepare the subject report. Secondly, it is mid-July 2003 and staff has not received the subject report for contingency petroleum sites.
RWQCB staff agrees that additional petroleum sites may be discovered after adoption of the TO based on past site experience. To that end, the TO will be modified to include a task for unknown/contingency petroleum sites.

General Comment No. 5

Make Explicit the Possibility of Land Use Controls. Circumstances may arise in the context of site cleanup where it is infeasible or impracticable to clean up contaminated soil or groundwater so as to allow unrestricted future use. In these circumstances, there may be legitimate reasons for imposing land use restrictions or controls that would limit future use of the site to specified uses. The Order should include text making explicit the possibility that in appropriate circumstances (e.g., the nature and extent of contamination, high costs of cleanup, or technical infeasibility among other possible factors), the Board would consider allowing land use controls to provide protection against future exposures and allow the productive future use of property even where clean up levels specified in the Board Order cannot be fully achieved.

RWQCB Staff Response to General Comment No. 5

Comment noted.

No change in text is necessary. Land use controls may be evaluated on a case-by-case basis and may be included as a component of a final remedy identified in site-specific corrective action plans.

Along those lines, the NPS raised concerns regarding the tracking of LTTD soils and their management. A task has been added to the TO that requires the development of a management/tracking procedure for LTTD soils and provides specified conditions for LTTD placement that are consistent with those conditions specified in SCR 96-070.

General Comment No. 6

Groundwater Cleanup Levels for Total Petroleum Hydrocarbons. The tentative Order's statement that federal Maximum Contaminant Levels (MCLs) form the sole basis for groundwater cleanup levels at the Presidio seems incomplete, and should be clarified. MCLs have not been established for all chemical constituents. Moreover, federal MCLs serve as only part of the basis for surface and groundwater cleanup levels at the Presidio. For example, for Total Petroleum Hydrocarbons (TPHs), there are no federal (or State) MCLs, and an alternative basis should be cited in the Order for TPH groundwater cleanup levels.

Groundwater cleanup levels for TPH that are protective of human health and the environment have already been developed and are set forth in the Army document entitled *Fuel Product Action Level Development Report (FPALDR), Presidio of San Francisco*, dated October 1995. FPALDR groundwater cleanup levels for TPH contaminants are as follows:

TPH - gasoline	770 ug/L
TPH – fuel oil	1,200 ug/L
TPH – diesel	880 ug/L

These levels have been updated and set out in the more comprehensive Trust document entitled *Development of Presidio-wide Cleanup Levels for Soil, Sediment, Groundwater and Surface Water, Presidio of San Francisco*, dated October 2002. Table 7-6 of the

RWQCB Staff 's Response to:

Presidio Trust Comments on Tentative SCR dated June 16, 2003, contd.

Trust's 2002 report lists all Presidio-wide surface water and groundwater cleanup levels and the basis for each clean up standard. This Table 7-6 of the Presidio-wide cleanup levels document should be explicitly referenced in the Order as the basis for all Presidio-wide cleanup levels. In citing this Report as the basis for groundwater cleanup levels, it can be made clear that MCLs are the basis for groundwater cleanup levels where MCLs exist for the named constituent, but should make that statement in the broader context citing Table 7-6 as the basis for groundwater cleanup levels where no MCLs have been established.

More generally, Table 7-6 of the Cleanup Levels document should be fully incorporated into the Board's revised Order and explicitly cited as the basis for all applicable Presidio-wide cleanup levels for soil, sediment, groundwater and surface waters at the Site.

Recent correspondence from the RWQCB indicates that the RWQCB would like to use Risk-Based Screening Levels (RBSLs) for TPH in groundwater as screening levels in the Presidio. The Trust is willing to use RBSL concentrations for TPH as indicators where additional characterization of groundwater may be warranted. However, the Trust is opposed to using TPH RBSLs as groundwater cleanup levels with the possible exception of the Lobos Creek Basin.

RWQCB Staff Response to General Comment No. 6
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Comment noted.

Table 7-6 will not be incorporated into the TO. The TO text has been modified to clearly state that Federal/California MCLs are the basis for groundwater cleanup levels. Where MCLs do not exist for the named constituent, such as gasoline, diesel, fuel oil, etc., groundwater cleanup levels for such compounds will be evaluated on a case-by-case basis. Staff will factor the Table 7-6 groundwater values into any groundwater remediation decisions made for the site.

General Comment No. 7

Request for Time Extension. The Trust would like to request a minimum of a 30-day time extension before this matter is brought before the RWQCB in a public hearing for formal action. The current hearing date of July 16 does not allow sufficient time for consideration of Trust and other parties' comments concerning the subject Order.

RWQCB Staff Response to General Comment No. 7
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Comment noted. The numerous and lengthy comments received by Regional Water Quality Control Board (RWQCB) staff requires a delay in the consideration of the subject tentative order until the August 20, 2003 Regional Board meeting. The delay allows ample time for RWQCB staff to respond to the comments received.
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Please note, the TO was originally sent out to you on May 7, 2003, ten weeks before the July 16, 2003 Board meeting, thus allowing the Trust a six week review period. The standard review period is 30-days.
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EDITORIAL COMMENTS

1. Section 1. Site Location.

a) In the parenthetical that reads “(Presidio)” insert “or Site” so that the beginning of the first sentence would read “The Presidio of San Francisco (Presidio or Site) is located...” This change is suggested because throughout the tentative Order, the Presidio is referred to alternatively as either the Presidio or the Site. When the Presidio is referred to as the “Site,” it should be capitalized.

RWQCB staff response to Editorial Comment No. 1.a.

Comment noted. Text changed to read as suggested.
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b) In the first sentence, delete the words “...in the City of San Francisco, ...” The sentence should read The Presidio of San Francisco (Presidio or Site) is located at the northern tip of the....” This change is suggested because it is incorrect to say or imply that the Presidio is within the jurisdiction of the City and County of San Francisco. The Presidio is under federal jurisdiction and is only adjacent to the City and County of San Francisco, but the last sentence of the first paragraph already states this fact.

RWQCB staff response to Editorial Comment No. 1.b.

Comment noted. Text changed to read as suggested.
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c) At the end of the last sentence, change the words “... National Park.” to “...national park site.” The sentence should read “The Presidio Trust is in the process of converting the Presidio from an Army base to a financially self-sufficient national park site.” The change is needed to make the sentence factually correct. The Presidio is within the Golden Gate National Recreation Area (GGNRA), but is not itself a National Park. The Trust has adopted the more accurate reference of “national park site.”

RWQCB staff response to Editorial Comment No. 1.c.

Comment noted. Text changed to read as suggested. Please note RWQCB staff response to Army comment No. 1.
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2. Section 2. Site History.

a) Last line of first paragraph should be revised to indicate Presidio landfills are primarily fill soils and construction debris. Municipal waste is only believed to occur in significant quantities in Landfill E.

RWQCB staff response to Editorial Comment No. 2.a
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Comment noted. Text changed as suggested.
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b) Typo/word missing -- In the last sentence of the third paragraph of Section 2, Site history, insert the word “the” before “... Army retained responsibility for ...”

RWQCB staff response to Editorial Comment No. 2.b
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Comment noted. Text changed as suggested.
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RWQCB Staff 's Response to:

Presidio Trust Comments on Tentative SCR dated June 16, 2003, contd.

- c) In the first line of the fourth paragraph of Section 2, Site History, insert the parenthetical “(Trust Act)” after the words “... Congress enacted the Presidio Trust Act ...” so that the phrase would read “... Congress enacted the Presidio Trust Act (Trust Act) giving jurisdiction ...”

RWQCB staff response to Editorial Comment No. 2.c
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Comment noted. Text changed as suggested.
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- d) Modify the second sentence of the fourth paragraph of Section 2, Site History as follows: (1) add the words “the provisions of the Trust Act, including” after the words “... in accordance with ...” (2) insert the words “Act (Section 1)” after the phrase “... purposes of the GGNRA” and, (3) delete the word “those” and insert the words “the general objectives” before the phrase “... of the General Management Plan Amendment (GMPA, ...”

The revised sentence in its entirety would read “The Presidio Trust is a federal government corporation established to manage the inland area of the Presidio in accordance with the provisions of the Trust Act, including the purposes of the GGNRA Act (Section 1) and the general objectives of the General Management Plan Amendment (GMPA), while at the same time meeting the financial mandate of the Trust Act.”

RWQCB staff response to Editorial Comment No. 2.d
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Comment noted. Text changed as noted.
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- e) A new paragraph should be added to the end of the Site History section introducing the two separate but related Memoranda of Agreement governing cleanup responsibility between the Trust, NPS and Army. These agreements are referred to in Section 3, but not previously introduced or explained.

RWQCB staff response to Editorial Comment No. 2.e
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Comment noted. Text remains unchanged.

3. Section 3, Named Dischargers.

- a) See General Comment #1.

RWQCB staff response to Editorial Comment No. 3.a.

Comment noted. See RWQCB staff response to General Comment No. 1.
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- b) The second paragraph of Section 3, Named Dischargers, is factually inaccurate and should be corrected as follows. In the first sentence, 1) delete the words “both” and “and cleanup” in the phrase “... both administrative and cleanup responsibilities for Area B ...” 2) add the word “and” after the words “... transferred to the Trust in 1998, ...” and, 3) at the end of the sentence after the abbreviation “... NPS.” Insert the words “environmental remediation responsibility for Area B was transferred to the Trust in May 1999.”

The revised first sentence in its entirety would read: “The Presidio Trust is named a [Respondent] to this Order because administrative responsibilities for Area B (the 1,168-acre inland area) of the Presidio were transferred to the Trust in 1998, and pursuant to a

RWQCB Staff 's Response to:

Presidio Trust Comments on Tentative SCR dated June 16, 2003, contd.

1999 MOA between the Army , Trust and NPS, environmental remediation responsibility for Area B was transferred to the Trust in May 1999.”

RWQCB staff response to Editorial Comment No. 3.b.

Comment noted. Text changed as recommended with the exception of the term respondent and in keeping with NPS Specific Comment No. 1.

c) Delete the entirety of the third paragraph. See General Comment # 1.

RWQCB staff response to Editorial Comment No. 3.c.

Comment noted. Text remains unchanged.

4. Section 6, Site Geology.

a) This section should be revised to indicate that a substantial part of the Franciscan Formation at the Presidio consists of non-serpentine rocks.

RWQCB staff response to Editorial Comment No. 4.

Comment noted. Text remains unchanged.

5. Section 7, Site Hydrogeology.

a) Please delete the phrase “Although additional characterization is needed” from the second sentence of the last paragraph of this section. Quarterly groundwater monitoring performed by the Army and the Trust over the last twelve years has demonstrated that certain metals occur naturally in the groundwater at the Presidio and additional monitoring on this point would not be of benefit.

RWQCB staff response to Editorial Comment No. 5.a
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Comment noted. No change in text. Additional studies of metal occurrences in groundwater will serve to evaluate any potential impacts from known pollution sites and confirm/add support to the results/conclusions of previous studies.

b) In the first sentence of the fourth paragraph that begins, “Surface water occurs at various locations throughout the Presidio (Figure 3) and is found along Mountain Lake, and Lobos Creek ...” change the word “along” to “in” and delete the comma after Mountain Lake.

RWQCB staff response to Editorial Comment No. 5.b.

Comment noted. Text changed as noted.
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6. Section 8. Historical Groundwater Usage.

a) The lengthy historical summary in this section is less relevant to current use of groundwater at the Presidio than is a description of the presently operating Lobos Creek supply system. The Trust recommends deleting or significantly shortening the present text and adding instead a description of the Lobos Creek supply system that currently provides Presidio drinking water.

RWQCB staff response to Editorial Comment No. 6.a.

Comment noted. Text remains unchanged. In staff's opinion, the discussion of historical groundwater usage at the Presidio only reinforces the importance of protecting the groundwater resources at the site for future generations.

RWQCB Staff 's Response to:

Presidio Trust Comments on Tentative SCR dated June 16, 2003, contd.

b) This section should also mention the Trust's planned Water Recycling Project that will be constructed later this year. This new reclaimed water system is expected to substantially reduce the Presidio's use of potable water for irrigation.

RWQCB staff response to Editorial Comment No. 6.b.

Comment noted. A reference to the water-recycling project has been included in the site hydrogeology section.

c) Last sentence in this section should be reworded to say: "Currently, no active groundwater supply wells are located within the Presidio."

RWQCB staff response to Editorial Comment No. 6.c.

Comment noted. Text changed as noted.

d) If Paragraph 8.b. and 8.c. are not deleted, typos should be corrected.

RWQCB staff response to Editorial Comment No. 6.d.

Comment noted. Typographical errors corrected.

7. Section 9a. Remedial Investigations, CERCLA Program Sites.

a) Main Installation Operable Unit. In the second sentence beginning "At that time, ..." add an "s" to the word "gap" to make it plural. In the third sentence, the word "Unit" is missing. It should read: "...Main Installation Operable *Unit* Feasibility Study..." In the second to last sentence, rather than "... covers the 39 installation sites that are..." the phrase should be corrected to read "The revised draft FS covers 35 of the 39 sites that are"

RWQCB staff response to Editorial Comment No. 7.a.

Comment noted. Typographical errors corrected and suggested text changes have been made.

b) Public Health Service Hospital (PHSH) Area. Landfill 8 is missing from the paragraph on the Public Health Service Hospital Area. Recommend that you add historical and regulatory information similar to information provided for Landfill 10. In the last sentence: "The investigation was *conducted* (not completed) in October, November..."

RWQCB staff response to Editorial Comment No. 7.b.

Comment noted. Typographical errors corrected and reference to Landfill 8 included in text.

c) Crissy Field Area. The paragraph regarding Crissy Field should mention that the Trust is preparing its request for Completion and Certification for this Operable Unit from DTSC. Also, it should be stated that groundwater in the Crissy Field area would not likely be used for drinking water due to high total dissolved solids in groundwater in this area.

RWQCB staff response to Editorial Comment No. 7.c.

Comment noted. Reference to the completion certification has been added to the text. The groundwater quality encountered at Crissy Field is described in Finding

12.d.3.

In the fourth to last sentence in the Crissy Field Area paragraph, starting “In the Building 900s Area, ...” the end of the sentence should be modified to read “... contaminated soil and fill were excavated and removed and no longer affects groundwater.”

RWQCB staff response to Editorial Comment No. 7.c.

Comment noted. No change in text is deemed necessary.

Descriptive words should be added at the end of the last sentence of the Crissy Field Area paragraph indicating the end date for groundwater monitoring, as follows, “As per the requirements of the RAP, groundwater monitoring continues until [define end date/event].”

RWQCB staff response to Editorial Comment No. 7.c.

Comment noted. Text remains unchanged.

d) Building 937. In the fourth paragraph, fifth sentence beginning “For the Building 900s Area, the words “as the remedy” should be added at the end of the sentence after “... confirmation groundwater monitoring.”

RWQCB staff response to Editorial Comment No. 7.c.

Comment noted. Text changed as suggested.

The last sentence of the fourth paragraph and the first sentence of the sixth paragraph both refer to pollutants “detected” in groundwater. These statements should clarify the timing of detection, whether the summarized detections represent data from before the Crissy Field RAP, both before and after the cleanup actions, or only after the excavation and removal of contaminated soils. This same clarification should be added to any section where sampling or investigation data is summarized to make the scope of the data clear to the reader.

RWQCB staff response to Editorial Comment No. 7.c.

Text remains unchanged. The TO is intended to provide a brief overview of remedial investigations conducted at the Presidio and cannot provide details for each and every study area for which detailed reports have been written and are available.

8. Section 9b. Remedial Investigations, Petroleum Sites.

a) Building 207/231. Text should be added to indicate that the Army prepared a corrective action plan in 1998. This plan was insufficient and criticized by stakeholders. The Trust started preparation of a new CAP in 2001, and work continues. For example, the Trust submitted an investigation work plan dated April 3, 2003 to the RWQCB.

RWQCB staff response to Editorial Comment No. 8.a.

Comment noted. Text will be added to TO that states that although numerous investigations and a large volume of data has been generated in the Building 207/231 area, the Trust reports that the Final RI (Dames and Moore, 1997) and the Draft CAP (MW, 1999b) did not consolidate all of the available soil and groundwater data. The Trust has evaluated the available data and has prepared a draft

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investigation work plan in an effort to fill existing data gaps prior to completing a new corrective action plan for the area.

b) Building 1065 area. Text should indicate that the Army prepared a CAP for the Building 1065 Area that was insufficient and criticized by stakeholders. The Trust began preparing a new CAP in 2001. In that effort, the following Trust documents should be referenced to in this paragraph: Interim Data Report dated February 2003 and the Interim Action Plan (IAP) dated April 21, 2003. Both documents have received comments from the RWQCB. Reference should be made that the RWQCB supports the Trust IAP with comment.

RWQCB staff response to Editorial Comment No. 8.b.

Comment noted. Reference to data gaps investigation and February 2003 Interim Data Report included in TO.
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c) Commissary P/X. Text should indicate that the groundwater and seep results provided in this section are post-interim cleanup. These results indicated that all contaminant concentrations in groundwater have declined significantly (i.e. the interim cleanup was a success).

RWQCB staff response to Editorial Comment No. 8.c.

Comment noted. Reference to post-interim cleanup was incorporated into TO.

The grammar of the first sentence of the second paragraph should be corrected so that the this phrase follows "seeps" rather than "tidal marsh." The corrected sentence would read, "In mid-November 1999, the Trust became aware of groundwater seeps, which contained detectable concentrations of total petroleum hydrocarbons as gasoline, in the southwest corner of the new Crissy Field tidal marsh.

RWQCB staff response to Editorial Comment No. 8.c.

Comment noted. Text corrected as suggested and incorporated in the TO.

d) Building 1349. Text should be added to indicate that soil contaminated with fuel oil most likely associated with distribution pipe extending westward from Building 1349 across the Fill Site 5 location was removed by the Trust in April 2003 as part of the FS 5 RAP, and will be reported in the Fill Site 5 excavation report, which is part of the Fill Site remedy completion report to be submitted to DTSC and the Board.

RWQCB staff response to Editorial Comment No. 8.d.

Comment noted. Text will remain unchanged given that the completion report has not yet been submitted to the agencies for review.
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e) Fuel Distribution System (FDS). Instead of referencing the Army's FDS Workplan, a more complete and up to date reference for past closure activities is: "Fuel Distribution System Closure Report, May 1999, IT Corporation."

RWQCB staff response to Editorial Comment No. 8.e.

Comment noted. Text changed to reference the Fuel Distribution System Closure Report dated May 1999.

9. Section 10, Interim Remedial Measures.

The Trust has never operated the low temperature thermal desorption unit (LTTD) treatment system, and has no plans to operate one in the future. We suggest that the Order recognize that LTTD soils are remediated soils that do not require any further response actions.

RWQCB staff response to Editorial Comment No. 9.

Comment noted. The TO does not state that the Trust operated the LTTD system. The TO states that the system was operated between July 1996 and May 1997. The TO further states that there are no plans to treat/remediate hydrocarbon-impacted soil at the Presidio. Please note that the operational objectives and requirements for the LTTD system that were presented in Order No. 96-070, Section 2, have not been incorporated into this TO.

Staff does not agree that the LTTD soils do not require further response actions given NPS comment No. 17 on the TO. In their comment, the NPS states "... any requirements for management of these soils be clearly identified." To resolve the LTTD issue, management of the LTTD soils has been added as a new task in the TO.

10. Section 12, Basis for Cleanup Standards.

a) Paragraph 12b, Beneficial Uses. The RWQCB issued a letter in reference to the Crissy Field RAP, acknowledging that Crissy Field groundwater has a low probability of use as a potable supply of drinking water, longer timeframes may be used to attain groundwater cleanup standards and overlying soils need not be cleaned up to protect a drinking water beneficial use.

RWQCB staff response to Editorial Comment No. 10.a

Comment noted. Please review Finding 12.d.3.

b) Paragraph. 12c, Basis for Groundwater Cleanup Standards: See General Comment #6.

RWQCB staff response to Editorial Comment No. 10.b

Comment noted. Please see staff's response to General Comment No. 6.

c) Paragraph 12d, Basis of Soil Cleanup Standards, item 3. This section states the following: "Soil Cleanup Levels for Protection of Water Quality Objectives at Detectable Levels (Table 3), Soil Cleanup Levels for Protection of Water Quality Objectives at Drinking Water Standards (Table 4), and Soil Cleanup Levels for Crissy Field (Table 5): The development of the soil cleanup levels presented in Tables 3 and 4 are documented in the October 1995 U.S. Army Corps of Engineers report titled, "*Fuel Product Action Level Development Report (FPALDR), Presidio of San Francisco, San Francisco, California.*" These cleanup levels assume that any non-aqueous phase liquid (NAPL) will be removed from the storage facility, fuel line, or subsurface. Therefore, the cleanup levels for the Presidio as shown on Tables 3 and 4, refer to the residual

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concentration of fuel constituents that can remain in vadose zone soil without impacting the beneficial uses at sites where groundwater impact is not currently known to occur. In general, soil cleanup levels for protection of groundwater quality in this Order were calculated to assure that residual soil pollutants do not cause either background levels or drinking water criteria to be exceeded in groundwater. The one area where this approach is not used is at Crissy Field (Table 5)."

What this text indicates is that, under the FPLADR, soil cleanup levels were selected to protect beneficial uses of the underlying groundwater. A protective level for TPH constituents in groundwater was defined in the FPALDR as being at those concentrations listed in General Comment #6 above. The Order should make clear and explicit, as suggested in General Comment #6, that the FPALDR groundwater cleanup levels for TPH constituents are the cleanup levels adopted in the Order except for the Lobos Creek Basin. In the case of the Lobos Creek Basin, the Trust recognizes that more stringent cleanup levels may need to be considered, such as RWQCB RBSLs for TPH, in this active drinking water supply zone.

RWQCB staff response to Editorial Comment No. 10.c.

Comment noted. The FPALDR does not establish groundwater "cleanup levels" as stated in General Comment No. 6, and Editorial Comments No. 10.b and 10.c. The FPALDR presents "water quality goals." Staff's understanding is that the water quality goals apply to groundwater located directly beneath the point of release (i.e., leaking UST, AST, pipeline, etc.). The water quality goals should not be used as an end-point defining no further action.

Section 2.5.4 of the FPALDR states, "...for sites where fuel constituents are detected in groundwater at levels less than the applicable water quality goals listed in the FPALDR, it is recommended that groundwater monitoring be conducted quarterly for 1 year and annually for four years. If monitoring indicates that concentrations of constituents are consistently less than applicable water quality goals, than monitoring wells associated with that site will be abandoned as part of site closure activities."

As noted in previous responses to comments, the cleanup goals listed in the FPALDR are not included in the TO.

11. Section 13, Cleanup Plan.

a) Paragraph 13.b. In the table provided in this section, Nike Area should be removed as a Mini-Cap Site, and replaced by UST-1451 as this is a more accurate description of the new Mini-Cap Site discovered at Building 1451 last year.

RWQCB staff response to Editorial Comment No. 11.a

Comment noted. Mini-CAP site named Nike Area that was provided to RWQCB staff via email dated Nov. 4, 2002 (Summary of Compliance Efforts – RWQCB Order 91-082 , Building 207/231 and Building 937 Areas) has been replaced with UST-1451.

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b) Paragraph 13b. This last sentence in the asterisk footnote to this table should be deleted. The Trust's past experience regarding the rate of new tank discoveries is not relevant to this Order, and is not necessarily predictive of the rate of future discoveries.

RWQCB staff response to Editorial Comment No. 11.b.

Comment noted. The asterisk references, verbatim, information provided to RWQCB staff by the Trust (letter dated January 24, 2003, subject Draft Petroleum Plan, Presidio of San Francisco). Page 5 of the Draft Petroleum Plan states "The Trust's experience since 1999 suggests that each year, two or more previously unknown tanks will be discovered." The Draft Petroleum Plan further states "From time to time, previously unknown petroleum spills are discovered through normal construction and maintenance operations. Several petroleum spills were discovered through the construction of the Crissy Field marsh,"

Text remains unchanged.

c) Paragraph 13.c. The term extractable range hydrocarbons should be explicitly defined for purposes of the Order. The Trust understands and recommends that the term "extractable range hydrocarbons" means TPH/C12-24 (gasoline), TPH/C-24-36 (diesel), and TPH/C36-48 (fuel oil).

RWQCB staff response to Editorial Comment No. 13.c.

Comment noted and extractable range hydrocarbons have been defined at C12+. Staff do not agree with the Trust's designation of carbon ranges. RWQCB staff considers gasoline to fall within the C- range of C4/C5-C11/C12, diesel to fall within C12-C24 and fuel oil C24 to C36. Extractable range hydrocarbons are C12+ in carbon range. This view is consistent with previous studies (i.e., Saltwater Ecological Protection Zone, etc.) conducted at the Presidio and industry standards.

d) Paragraph 13.d. The term "addressed under paragraph 13.a" should be inserted after the word pipelines in this sentence.

RWQCB staff response to Editorial Comment No. 13.d.

Comment noted. Text changed to add "addressed under this Order" to the referenced sentence.

12. Section 18, Cost Recovery.

a) This section should add a reference to the cost recovery letter agreement dated July 1999 (RWQCB letter dated July 14, 1999 and Presidio Trust letter dated July 19, 1999) between the Trust and the RWQCB governing, among other matters, the level of documentation and supporting information to be submitted by the RWQCB to the Trust to support a claim for cost reimbursement. At a minimum, cost claim documentation must include the name, title, pay rate and hours worked on the Presidio project for each RWQCB labor charge claimed in a RWQCB cost recovery invoice. Each invoice should also verify that all costs were incurred by the RWQCB for purposes of implementing and overseeing implementation of the RWQCB Order at the Presidio.

RWQCB staff response to Editorial Comment No. 12.a.
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Comment noted. Section 18 presents standard Cost Recovery language that is part of the Region 2 SCR internal template. No changes in text are deemed appropriate.
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13. Order, Section B, Cleanup Plan and Cleanup Standards.

a) Groundwater Cleanup Standards. See General Comment #6. The Trust agrees that EPA Primary MCLs constitute a suitable basis for groundwater cleanup standards where an MCL has been established for the chemical constituent and where the ground waters at the location have not been excluded as a potential drinking water source under the exclusions set forth in SWRCB Resolution 88-63. Where there are exceptions, such as where the State MCL is more stringent or where no MCL exists for TPH contaminants, the Trust recommends that the RQWCB replace the table in this section with Table 7-6 of the Presidio Trust Cleanup Levels document dated October 2002. This would provide an unambiguous listing of groundwater cleanup levels and the basis for each standard. The cleanup levels in Table 7-6 of the Cleanup Levels document apply to surface water, seeps, and groundwater throughout the Presidio.

RWQCB staff response to Editorial Comment No. 13.a.
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Comment noted. Please see staff's response to General Comment No. 6.

b) Soil Cleanup Standards. Use of the term "active remediation" in this section is not clear. The Trust has a preference toward excavation and off-site disposal of contaminated soils but reserves the right to implement other appropriate response actions. For example, passive remediation of certain soils may be an appropriate, protective and cost-effective remedy that may be selected and should be allowed by the Order.

RWQCB staff response to Editorial Comment No. 13.b.
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Comment noted. The word "actively" has been removed from the TO.

14. Order, Section C, Tasks.

a) Task 1:

- There is a typo in the first sentence. Insert the words "setting forth a time schedule" as follows: ".....to the Executive Officer, setting forth a time schedule for the investigation and remediation....";

RWQCB staff response to Editorial Comment No. 14.a.
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Comment noted and subject text was changed as suggested.

- This section should acknowledge that the Trust has already prepared a petroleum cleanup plan and schedule, and make clear that the task is limited to finalizing the petroleum plan, and providing RWQCB with a copy of a petroleum-only schedule.

RWQCB staff response to Editorial Comment No. 14.a.
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Comment noted. No change in text. RWQCB staff suggests that the Trust review the referenced petroleum cleanup plan and schedule, make sure that it is consistent with the TO and acceptable to the EO, and submit the plan by the compliance date
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of October 31, 2003.

- The Trust recommends deleting the reference in the first paragraph to “interim action work plans” as the Trust’s petroleum cleanup plan indicates that the Trust plans to propose final corrective action plans at all CAP sites. The Trust is unable to presently forecast sites where, because of the Trust’s development actions, interim action may need to take place ahead of final clean up actions. The only known exception is the Building 1065 Area, which can be specifically addressed under a site-specific interim action Work Plan as described under a revised Task 4. See comments on Task 4.

RWQCB staff response to Editorial Comment No. 14.a.

To date, interim remedial actions have been proposed and conducted at the Commissary/PX and at the Building 1065 areas. No final corrective actions for identified petroleum sites have been submitted to the Regional Board.

The Task 1 schedule provides the Trust the opportunity and flexibility to establish a master investigation and remediation schedule for the Presidio’s petroleum sites. The schedule is flexible and allows the remediation of the corrective action petroleum sites (i.e., those petroleum sites with groundwater impacts), to follow either an interim remediation path or final corrective action path. If the Trust elects to move the petroleum impacted sites directly into corrective action, then the Trust can design the Task 1 schedule to reflect that path.

The text in the second sentence of Task 1 will be changed to read ...” For groundwater-impacted petroleum sites, the schedule shall include interim corrective action work plans, as necessary, and final corrective action plans, as required to remediate groundwater impacts. For the Mini-CAP sites (i.e., no petroleum impacts to groundwater), the schedule shall include remediation work plans that demonstrate no impact to groundwater/surface water and define the limits of soil contamination, as necessary, and final Mini-CAP summary reports.

- In the second paragraph of this task, replace the words “... that have already been identified at the Presidio” with “... identified in Finding 13.” This change is needed because the sentence as written is vague as to specific sites and as to timing. Finding 13 identifies all the sites known as of the Order and provides more accountability and precision to the task.

RWQCB staff response to Editorial Comment No. 14.a.

Comment noted and reference to Finding 13 is incorporated in TO.

- In the third paragraph, replace the term “most practical timeframe” with “reasonable timeframe”;

RWQCB staff response to Editorial Comment No. 14.a.

Comment noted. Staff deems no change in text is necessary.

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- The Trust recommends adding text to this section that would allow any schedule deadline required by or pursuant to the Order to be amended as needed by agreement of the Trust and the RWQCB. We also recommend that the Order allow the schedule itself and any subsequent schedule changes to be approved by the RWQCB site manager for the Presidio (not the Executive Officer of the RWQCB). To conform the existing text to this change, the last sentence should be changed to read, "Upon approval, the time schedule and subsequent amendments to the schedule will become part of this Order."

RWQCB staff response to Editorial Comment No. 14.a.

Comment noted. Text remains unchanged. RWQCB staff persons are not authorized to approve changes to tasks or associated compliance dates after adoption of the Order. Please refer to the language contained in Task 14, "Delayed Compliance."

- It is unclear what actions of the Trust will satisfy the "Compliance Date." For a compliance date that is set forth as a date certain (e.g., October 31, 2003), the Order should make clear whether this date is a submittal deadline or an approval deadline. This same comment applies to any task where the "Compliance Date" is listed as a date certain. If the date is an approval deadline, then it is not within the Trust's control and should be redefined as a submittal date.

RWQCB staff response to Editorial Comment No. 14.a.

Comment noted. Compliance date refers to the submittal date as specified in each task. It is the responsibility of the Trust to prepare a submittal that adequately addresses and incorporates the requirements of each specific task and to work with the RWQCB project manager to insure the report satisfies the requirements spelled out in the order.

b) Task 2. The Trust understands this task to encompass the development of proposed soil (and sediment) and water (surface water and groundwater) TPH-fuel oil and TPH-diesel cleanup levels for the freshwater ecological protection zone. The Trust understands that once developed and approved by the RWQCB in a CAP, these four cleanup levels will be considered approved for any Presidio freshwater ecological protection zone area and be incorporated into the cleanup levels required under the Order.

RWQCB staff response to Editorial Comment No. 14.b.

Comment noted. Task 2 calls for a work plan that outlines the approach that will be employed in developing site specific, freshwater PCOCs for extractable range hydrocarbons. Task 3 calls for the report that presents the PCOC numbers developed through the implementation of the Task 2 work plan. After successful completion of Task 3, the PCOC numbers will become part of this Order.

Please note that the exact location of the proposed riparian corridor is currently being studied and has not yet been finalized. In addition, there has been a long-standing issue surrounding on how the PCOCs should be applied (i.e., lateral distance from stream into surrounding groundwater, etc.). In an effort to remedy

this issue, the language presented in Task 2 has been changed to better define the “zone of application” for the PCOCs.

The zone of application of cleanup levels will be determined on a site by site basis along the length of the proposed creek for each CAP, mini-CAP, and RAP (i.e., petroleum issues, only) site that borders the proposed creek or is crossed by the proposed creek. The zone of application approach will evaluate factors that influence/control creek functions, including but not limited to, gradient, lithologic composition/changes, recharge areas, etc. The approach will build upon the existing hydrogeologic information/knowledge compiled for Landfill E and other related ongoing studies completed along the Tennessee Hollow restoration corridor.

c) Task 3. The March 31, 2004 compliance date for this task does not provide sufficient time to complete the necessary coordination, response to comments, and other work required by this task. The compliance date appears not to take into consideration the time need to address RWQCB comments and receive final RWQCB approval of our Workplan submittal by November 28, 2003 as required under Task 2. In addition, it may take several months to implement the work required by this task and then several more months to receive and address NPS comments on the technical report required by the Task. Therefore, the Trust requests that the compliance date for this task be changed to a date no earlier than December 31, 2004.

RWQCB staff response to Editorial Comment No. 14.c.

Comment noted. The compliance date has been adjusted to December 31, 2004.

d) Tasks 4 and 5. The Trust believes that development of a generalized Interim Remedial Action Work Plan for all Corrective Action Plan Sites (and associated completion reports required under Task 5) is unnecessary. It is in both the RWQCB and the Trust's interest to minimize the administrative time associated with cleanup work. As you know, the Trust's remediation schedules and Petroleum Work Plan indicate that the Trust plans to move directly to final cleanup action at nearly all petroleum sites, either as a final CAP or as mini-CAPs. The need for tasks that would require the additional step of developing an interim action work plan for all CAP sites listed in Finding 13 is not apparent, and the Trust recommends that these two tasks be modified to recognize that the only instance where the Trust can presently foresee taking an interim action, at the Building 1065 Area, the Interim Action Workplan has already been submitted to the RWQCB. The text of the tasks should be substantially modified to reflect Presidio circumstances.

If circumstances arise at other Presidio CAP sites , like they arose in the Building 1065 CAP Area, where early action may be needed to protect park workers, visitors, or tenants, the Trust would modify the schedule as required under Task 1 and prepare a site-specific interim action work plan, similar to the Building 1065 work plan, where contaminated soils need to be removed before final cleanup actions are taken. These circumstances could arise at Trust development project sites that overlap with known CAP or Mini-CAP sites. If the development project must move forward ahead of the scheduled CAP at a known site, then an interim action work plan would be prepared. These circumstances

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cannot now be readily forecasted, so would be dealt with site-specifically. Where additional cleanup may have to follow the interim action, cleanup will be completed under a final CAP, just as we will do at the Building 1065 site.

RWQCB staff response to Editorial Comment No. 14.d.

Comment noted. Staff deem no change in text is required given:

- 1) Interim remedial action work plans are not required for “all” corrective action plan sites.**
- 2) The Task 1 schedule provides maximum flexibility and allows the Trust to prioritize the investigation and cleanup of the petroleum sites identified at the Presidio. Please note that the Task 1 schedule does not preclude the implementation of contingency actions that result in an accelerated site cleanup.**

e) Task 6. As drafted, this task does not take into account present or past circumstances, and may appear to require that work already completed either in the form specified or in some alternate form be redone or duplicated. The text for this task seems to imply that one comprehensive multi-site CAP report will be prepared, which is inconsistent with the approach the Trust and RWQCB are currently undertaking. This task should be re-written to accurately reflect work that is underway or already completed, to make it clear that individual CAPs are being prepared for sites specified in Finding 13: Commissary P/X Area, Blg 1349 Area, Blg 1056 Area, and Blg 207/231 Area, and to clarify that other sites will be addressed under Mini-CAPs. The Order should also be clear that no other CAPs are required under this Order without an amendment to the Order.

RWQCB staff response to Editorial Comment No. 14.e.

Comment noted.

- 1) Task 6 does not call for one, comprehensive, multi-site CAP report. Task 6 describes the fundamental elements of a corrective action plan that, if followed and incorporated into a CAP, should result in a CAP submittal that is acceptable to the Executive Officer.**
- 2) For petroleum sites which require either soil or groundwater remediation that are discovered after adoption of this TO, a “Contingency Site” task will be added to this order as suggested by the NPS. Please note, that the corrective action plan elements identified in Task 6 will be applicable to any contingency sites having groundwater/surface water impacts discovered subsequent to the adoption of this TO.**

The task under Item “6.d” has already been completed. The Presidio cleanup levels have been developed and are set out in the Trust’s Cleanup Levels document, *Development of Presidio-Wide Cleanup Levels for Soil, Sediment, Groundwater and Surface Water*, October 2002. In developing the document, pre and post-cleanup risk assessment work was completed and taken into account in setting the cleanup levels. Therefore, Item 6.d. is unnecessary.

RWQCB staff response to Editorial Comment No. 14.e.

Comment noted. No change in text is deemed necessary. If the Trust deems it appropriate, the Trust may choose to apply those cleanup levels and supporting rationale developed with the DTSC for the upcoming remedial action plan sites.

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The words "..., as approved and amended" should be added after the word Schedule in the "Compliance Date". The text would read, "As specified in Task 1 Comprehensive Petroleum Program Time Schedule, as approved and amended." This same change should be made in the other tasks where the Compliance Date is specified generally as the Schedule.

RWQCB staff response to Editorial Comment No. 14.e.
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Comment noted. No change deemed necessary. A "Contingency Site" task has been added to the TO for petroleum sites discovered subsequent the adoption of the TO.
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f) Task 7. The Order should recognize and the task should be modified so as not to require duplication of work already completed by the Trust regarding our Mini-cap sites. A Mini-cap Work Plan (addressing 10 sites) has already been submitted to the RWQCB and a second work plan (addressing 15 sites, the balance of known remaining sites) is under preparation by the Trust. These two Mini-cap Work Plans address all known mini-cap sites identified to date.

RWQCB staff response to Editorial Comment No. 14.f.
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Comment noted. No change in text is deemed necessary.
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RWQCB staff has worked with Trust staff in an effort to identify and group the mini-CAP sites prior to issuance of the TO.

Staff's opinion is that the TO does not require "duplication of work" already submitted. Staff's review of the referenced Mini-CAP report showed several data gaps and deficiencies in the report. Staff worked with the Trust and NPS to revise the report. The revised Mini-CAP report was received on 2/21/03.
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The Task 1 schedule allows for flexibility in and for the Trust and NPS to identify, define, and group the major project milestones (CAPs, mini-CAPs, etc.).

It is the Trust's responsibility, in coordination with the National Park Service, to review the mini-CAP sites and make sure that all the necessary data exist to support site closure. Where data does not exist to support closure (i.e., unknown depth to groundwater, residual soils exceeding approved soil cleanup levels, etc.), Task 7 requires that the Dischargers provide a work plan for acquiring those necessary data in support of site closure.
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Please note that there are currently 27 mini-CAP sites, not 25 as noted in comment No. 14.f.

g) Task 8. The Trust requests that in this task, and others where the circumstances are analogous, the Trust be permitted flexibility in grouping sites and preparing reports on the sites as grouped. For example, the Trust asks that text be added to this task making it clear that, with the approval of RWQCB staff, the Trust has the flexibility to prepare and submit reports required under this task based on groupings of Mini-cap sites.

RWQCB staff response to Editorial Comment No. 14.g.
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Comment noted. No change in text is deemed necessary. The Task 1 schedule
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allows provides the Trust and Park Service maximum flexibility in grouping sites, preparing reports, etc. Finding 13 lists those mini-CAP sites identified to date. Finding 13, nor any other part of the TO, prescribes how the mini-cap sites will be grouped, etc. Grouping of sites is in the control of the Dischargers and is a required element of the Task 1 schedule.

Please note that RWQCB staff does not have the authority to modify the requirements of a task, the compliance date of the task, etc. The authority lies with the Executive Officer.

h) Task 9. The purpose of this task is unclear and the Trust recommends that it be deleted. If there is a completion report for each CAP site or group of sites and a completion report for each Mini-CAP site or group of sites, then a further completion report seems duplicative. The Trust recommends the deletion of this task.

RWQCB staff response to Editorial Comment No. 14.h.

Comment noted. Text remains unchanged.

- 1) Interim site investigations (i.e., installation of groundwater wells to define flow direction, gradient, and confirm lack of groundwater impact) have been frequently proposed at the Presidio in an effort to address data gaps. Additional remedial actions at mini-cap sites (i.e., additional digging to reach cleanup levels, etc.) are a possibility.**
- 2) For mini-CAP sites where the existing data set support no additional investigation, remediation, etc., a report describing additional investigation, remediation, etc, is not required.**
- 3) The Trust's comment provided above includes reference to CAP sites. Please note that the wording of the Task 9 heading refers only to Mini-CAP sites.**

i) Task 10. The text should be changed to read....."work completed since the submittal of the previous *semi*-annual report...." . The Trust requests that the deadline for these semi-annual site status reports be extended 15 calendar days and that they are based on dry season and rainy season periods. This would make the report deadlines as follows:

<u>Season</u>	<u>Monitoring Period</u>	<u>Monitoring Report Due</u>
Wet	October 1 – March 31	The subsequent July 15
Dry	April 1 - September 30	The subsequent January 15

For the Wet season, water samples would be collected in December and March. For the Dry season, water samples would be collected in June and September.

RWQCB staff response to Editorial Comment No. 14.i.

Comment noted. Text changed to include reference to semi-annual. No additional changes in text are deemed necessary because:

Task 10 has nothing to do with reporting the results of the ongoing groundwater-monitoring program. Site-wide groundwater monitoring and reporting requirements are discussed in Task 11.

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j) Task 11. The Trust appreciates the RWQCB reduction in groundwater report writing as required by this task. The text for this task should indicate that sampling will be performed in accordance with the ***Presidio-wide Quality Assurance Project Plan, Sampling and Analysis Plan, Presidio of San Francisco, California***, (SAP/QAPP) and that the SAP/QAPP may be amended or updated periodically.

The Trust understands that the due dates for each semi-annual monitoring report will be as follows:

<u>Monitoring Period</u>	<u>Monitoring Report Due</u>
January 1 – June 30	The subsequent October 15
July 1- December 31	The subsequent April 15

These dates should be set out in the Order and be subject to amendment by agreement of the Trust and RWQCB staff.

RWQCB staff response to Editorial Comment No. 14.j.
Comment noted. No change in text is deemed necessary. 1) The monitoring report due dates are set out in the TO. The first semi-annual report is due October 15, 2003. Thereafter, reports shall be due semi-annually on the 15th of each ensuing April and October. 2) With respect to the dates being “subject to amendment by agreement of the Trust and RWQCB staff,” please note that the Trust may request revisions to the Order, but only the Executive Officer can approve the request. Should the Trust request changes to the Tasks or compliance dates listed in the Order, the Executive Officer may recommend that the Board revise the requirements in the Order.

Under item “a” of the content requirements for the monitoring reports, the Trust would appreciate the Order limiting “cumulative tabulated results” to the past 2 years of monitoring data results as is currently provided in Trust monitoring reports.

RWQCB staff response to Editorial Comment No. 14.j.
Comment noted. No change in text is deemed necessary. RWQCB staff requests to see <u>cumulative</u> tabulated results.

k) Task 12. Due to additional coordination requirements with the NPS pursuant to the Area A MOA and the need to coordinate with the City of SF, the Trust requests that the 120-day deadline required for each certification report be extended to 180 days.

RWQCB staff response to Editorial Comment No. 14.k.
Comment noted. 120 day deadline has been extended to 180 days as requested.

l) Task 13. Providing Five-Year Status Reports for all CAP and Mini-CAP sites at the Presidio seems unduly burdensome and in many instances unnecessary. The Trust recommends that Five-Year Status Reports be required only for CAP groundwater contamination has remained above site groundwater cleanup levels for 5 years after RWQCB approval of the CAP Completion Report. In addition, the word

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“Groundwater” should be inserted in items all sub-items where it does not presently appear as follows: “...contaminant migration in groundwater...” “contaminant groundwater concentration trends with groundwater cleanup standards...” Etc.

RWQCB staff response to Editorial Comment No. 14.l.
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Comment noted. The text remains unchanged.

Task 13 does not call for a Five-Year status report for all CAP and mini-cap sites at the Presidio. As worded, Task 13 calls for a Five-Year status report “which evaluates the effectiveness of the approved corrective action plan(s) for <u>groundwater impacted sites</u>.”
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Please review the definition of a Mini-CAP site that the Trust carried over from the Army’s remediation program (i.e., Mini-CAP sites are, by definition, sites with <u>soils only contamination</u> and data to support that there has been no impact to groundwater.

m) Task 14. The Trust recommends that any need to change the schedule be subject to approval by the RWQCB site manager (instead of the Executive Officer or the RWQCB Board of Directors).

RWQCB staff response to Editorial Comment No. 14.m.
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Comment noted. No change in text is deemed necessary. Only the Executive Officer has the authority to approve modifications to the compliance dates listed in the adopted Order.

15. Order Section D, Provisions.

a) Item 3, Cost Recovery. Cost recovery is governed by the letter agreement between the Trust and RWQCB dated July 1999 (RWQCB letter dated July 14, 1999 and Presidio Trust letter dated July 19, 1999). Pursuant to that agreement, the Trust has been paying all RWQCB invoices on time. To ensure continued timely payment, please see comment under Section 18. For clarity, the text of this section should reference the existing cost recovery agreement between the Trust and RWQCB and make clear that all RWQCB cost invoices itemize in detail RWQCB staff costs associated with overseeing this Order at the Presidio. The last sentence should be clear that cost recovery dispute resolution is governed by the terms of the letter agreement.

RWQCB staff response to Editorial Comment No. 15.a.
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Comment noted. No change in text is deemed necessary. Provision item 3.D. provides standard cost recovery language.
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b) Item 4, Access to Site and Records. The federal Freedom of Information Act (FOIA) governs release of Trust records. We will make all Site records available to the RWQCB as allowed under FOIA.

RWQCB staff response to Editorial Comment No. 15.b.
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Comment noted.

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c) Item 5, Self-Monitoring Program.

- See comments on Task 11 above.

RWQCB staff response to Editorial Comment No. 15.c.
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See response to comments on Task 11 above.

- Item 2 of the Program, the Trust recommends that the RWQCB staff person have the authority to approve or disapprove changes proposed by the Respondent.

RWQCB staff response to Editorial Comment No. 15.c.
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Comment noted. No change in text is appropriate. Staff does not have the authority to approve or disapprove changes proposed by the dischargers.

- Item 3b of the Program, "historical groundwater elevations" should be limited to no more than the last 2 years of groundwater elevation data. We have over 10 years of groundwater elevation data and presenting all historic data would be unnecessarily burdensome.

RWQCB staff response to Editorial Comment No. 15.c.
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Comment noted. No change in text is deemed necessary.
--

- Item 3c of the Program. The requirement for iso-concentration maps should be modified by the phrase "where sufficient data exist".

RWQCB staff response to Editorial Comment No. 15.c.
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Comment noted. No change in text is deemed necessary.
--

- Item 3d. The Trust recommends that the text be clarified to allow submittal of Semi-annual reports in either hardcopy or electronic/Compact Disc formats.

RWQCB staff response to Editorial Comment No. 15.c.
--

Comment noted. The text remains unchanged.

Please note that the RWQCB sent a letter regarding this issue to Craig Cooper (Trust Project Manager) on February 24, 2003. The letter requests that the Trust submit all future reports for the site <u>as both an electronic copy and a paper copy.</u> The electronic copy of the report should be submitted as one PDF file.

d) Item 10. Reporting of Hazardous Substance Release. The Trust recommends that the phone number for the current RWQCB site manager for the Presidio be substituted for, or at a minimum added to, the RWQCB phone number provided in the tentative Order.

RWQCB staff response to Editorial Comment No. 15.d.
--

Comment noted. No change in text is deemed necessary.
--

Project managers are temporarily assigned to projects. The phone numbers listed on the TO are standard to all dischargers and are dedicated to reports of releases of
--

hazardous substances.

16. Figures 3 and 4.

There is a typo in the titles of these figures.

RWQCB staff response to Editorial Comment No. 16.
--

Comment noted. As per the telephone discussion held between Trust and RWQCB staff on July 14, 2003, the Trust acknowledges that the above referenced typos cannot be found. No change in text is deemed necessary.

17. Figure 7.

Reader cannot discern between abandoned and removed FDS lines on this map.

RWQCB staff response to Editorial Comment No. 17.
--

Comment noted. For a more detailed view of the FDS lines, please refer to the Fuel Distribution System Closure Report, May 1999, IT Corporation.

18. Figure 8.

a) Figure should be renamed to Fuel Product Action Level Development Flowchart.

RWQCB staff response to Editorial Comment No. 18.a.
--

Comment noted. No change in text is required. Figure 8 is already titled the Fuel Product Action Level Development Flowchart.
--

b) First decision box should be reworded to follow current practice regarding site classification that allows a site containing minor amounts of non-fuel constituents to be addressed as a petroleum site.

RWQCB staff response to Editorial Comment No. 18.b.
--

Comment noted. Flowchart has been changed to account for the occurrence of low concentrations of non-petroleum constituents.

c) The decision boxes under human health protection should be revised to allow either residential or recreational land use depending on the current and future planned land use at the site.

RWQCB staff response to Editorial Comment No. 18.c.
--

Comment noted. Flowchart has been modified to account for residential and recreational reuse pathways.

19. Table 4.

Trust recommends that Table 4 cleanup levels should also apply to the Marina Groundwater Basin.

RWQCB staff response to Editorial Comment No. 19.
--

Comment noted. Table 4 has been modified to include the Marina Groundwater Basin.
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20. Table 6.

a) TPH-diesel cleanup levels are missing from this table. The Trust recommends that the provisional TPH-diesel cleanup levels for the saltwater ecological protection zone used under Trust's Commissary Interim Cleanup should be incorporated in Table 2 and made final under this Order. The saltwater protection zone cleanups levels are as follows:

<u>Contaminant</u>	<u>Soil Cleanup Level (mg/kg)</u>	<u>Water Cleanup Level (mg/L)</u>
TPH-diesel	144	2.2

RWQCB staff response to comment Editorial Comment No. 20.a.
--

Comment noted. Staff has incorporated into Table 2 and Table 6 the provisional TPH-diesel numbers used to the Interim Commissary Cleanup.
--

b) The units for the Water column appear to be in error. The Trust believes that appropriate units are mg/L (not mg/kg).

RWQCB staff response to comment Editorial Comment No. 20.b.
--

Water column units have been changed to mg/L.
--

The following presents Regional Water Quality Control Board (RWQCB) staff's responses to comments received from the National Park Service (NPS) on the Tentative Order, Site Cleanup Requirements and Rescission of Order Nos. 91-082 and 96-070 for the property located at the Presidio of San Francisco.

In keeping with the format provided by the NPS in their June 16, 2003 comment letter, staff's responses to comments are divided into kinds: (1) general, policy-oriented responses to comments; and (2) responses to specific corrections and suggested modifications to the TO.

NPS GENERAL POLICY COMMENTS

"... We have serious concerns regarding the manner in which the National Park Service is named as a discharger in this Tentative Order. For the following reasons we believe that the NPS should not be named as a discharger for this order:

- The RWQCB has, at the Presidio, set the precedent with order 96-070 of naming the branch of the federal government with environmental remediation authority, not the branch with administrative jurisdiction. This situation is clearly described in findings 2 and 3 of Board Order 96-070."

RWQCB staff response to NPS General Comment No. 1
--

Comment noted.

- The NPS has never discharged pollutants to soil and groundwater at the site.

RWQCB staff response to NPS General Comment No. 1 (continued)
--

Comment noted. Staff views the DOI/NPS as an owner/operator of the Presidio. Finding 3 of the TO states that the Army is a named discharger to this order because of substantial evidence that pollutants were discharged to soil and groundwater at the site during the course of its operations at the Presidio.

- Before accepting the legislatively mandated transfer of administrative jurisdiction over the Presidio from the Army, the NPS required that the Army retain all responsibility for environmental restoration arising out of Army releases, including petroleum, in accordance with Executive Order 12580 and a 1990 Interagency Agreement.

RWQCB staff response to NPS General Comment No. 1 (continued)
--

Comment noted. Finding 3, third sentence repeats the NPS comment provided above.

- Again in 1999, the NPS ensured that the Army's delegation to the Trust of its authority for the remediation of contamination at the Presidio included the coastal areas of the Presidio – the area under NPS jurisdiction.

RWQCB staff response to NPS General Comment No. 1 (continued)
--

Comment noted. Aforementioned statement is included in second paragraph of

Finding 3.

- The NPS never assumed any of the United States' remediation responsibility for releases caused by the Army during its administration of the Presidio. In the 1990 agreement, the Army retained responsibility for releases at the Presidio and in 1999, the Trust assumed the Army's responsibility.

RWQCB staff response to NPS General Comment No. 1 (continued)
--

Comment noted.

- The Army paid \$100 million dollars to the Trust for the express purpose of addressing the Army's environmental responsibility, including petroleum releases. The NPS has no such funding to address the Army's releases at the Presidio.

RWQCB staff response to NPS General Comment No. 1 (continued)
--

Comment noted.

- The Army and the Trust have complied with the existing two orders and the Trust has willingly expressed its intent to comply with this proposed order.

RWQCB staff response to NPS General Comment No. 1 (continued)
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Staff notes that the Trust is currently out of compliance with the existing site orders. This TO has been issued to update existing site cleanup requirements and to establish a schedule for the petroleum program. This TO is not intended to change soil cleanup levels, delay the petroleum program, or to reopen sites that have been cleaned-up to the soil cleanup standards listed in the existing SCRs.

In light of the foregoing, it is entirely consistent with the Model Board order to identify NPS as secondarily responsible. The Model Board Order allows a former property owner not involved with the operations, such as NPS, to be responsible for compliance *only if* the Board or Executive Officer finds that the other named dischargers have failed to comply with the requirements of the order.

RWQCB staff response to NPS General Comment No. 1 (continued)
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Staff notes that the DOI/NP is involved with site operations as follows:

- | |
|---|
| <ul style="list-style-type: none"> a) By agreement with the Trust, NPS personnel are present at all meetings held between regulators for all Area A (NPS administrative jurisdiction – coastal) sites and all enumerated Area B (Presidio Trust – interior) sites; b) NPS personnel review and approve of all reports related to the environmental cleanup prior to issuance to the regulators; c) In 1994, before the existence of the Trust, the NPS drafted the “General Management Plan Amendment,” (GMPA). The GMPA provides guidelines for the management and improvement of the Presidio, and it the governing plan for Area A. The Trust drafted a similar, parallel management document for Area B in 2002. The Trust's plan is called the Presidio Trust Management Plan (PTMP). The PTMP sets forth the Trust's land use policies and general management framework for Area B of the Presidio and is written in accordance with the general objectives of the GMPA; d) The Trust and DOI/NPS entered into a Consent Agreement with the |
|---|

<p>Department of Toxic Substances Control (DTSC) for cleaning up hazardous substances and hazardous waste releases at the Presidio, and to promote reuse of the Presidio.</p> <p>e) In 1994, administration of the Presidio was transferred to the DOI from the Army.</p> <p>Given the active and significant role of the NPS, their naming as a discharger is appropriate.</p>
--

Regarding the specifics of the Tentative Order, groundwater cleanup levels for petroleum are not currently proposed by this order. Because of this, we request that following revision of the Tentative Order to include petroleum cleanup levels, such as those developed by the Army for the Presidio, that an additional review period be provided to allow for public review of these proposed levels.

<p>RWQCB Staff response to NPS General Comment No. 2</p> <p>Comment noted. Please see response to Army comment No. 22 and response to Presidio Trust General Comment No. 7 and Editorial Comment No. 10.c.</p>
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NPS SPECIFIC COMMENTS

1. Finding 3, Named Dischargers

The environmental cleanup responsibilities for the Presidio transferred from the Army to the Presidio Trust in 1999, not 1998 as indicated in this section. For the reasons outlined in the transmittal letter for these comments, NPS does not believe that it should be named as a discharger under this proposed order.

RWQCB staff response to NPS specific comment No. 1

Comment noted. Text changed to reflect correct date of transfer.

2. Finding 9.a.1, Remedial Investigations, Main Installation Operable Unit

This discussion of the Main Installation Operable Unit starts out with a discussion of the Public Health Service Hospital, the Crissy Field, and DEH Operable Units. These are not part of the Main Installation Operable Unit and should be discussed in their own sections. Alternately, the overall organization of the Operable Units at the Presidio could be presented as part of the Introduction paragraphs for Finding 9a.

RWQCB staff response to NPS specific comment No. 2

Comment noted. Text changed to delete reference to PHS, Crissy Field and DEH Operable Units.

3. Finding 9.a.2, Remedial Investigations, Public Health Service Hospital Area

This section only discusses Landfill 10. The other sites in the PHS Operable Unit should be discussed as well.

RWQCB staff response to NPS specific comment No. 3

Comment noted. Text revised to reflect the inclusion of the Landfill 8 in the PHS area.
--

4. Finding 9.a.5, Remedial Investigations, Building 937

This site is part of the Crissy Field Operable Unit but was not discussed in the Crissy Field discussion presented on page 6. It is not clear why this site is called out for its own section. In addition, the description does not distinguish among the different sites, as defined by the Army, that are in the area of, and associated with, Building 937.

RWQCB staff response to NPS specific comment No. 4

Comment noted. Text remains unchanged.

Building 937 is called out for its own section because site cleanup requirements for Building 937 were originally included in SCR 91-082 and Building 937 is now included in Crissy Field RAP.

It is beyond the scope of the findings to provide significant detail on each sub-area contained within the Crissy Field RAP. For added detail on each sub-area, the NPS is referred to the DTSC-approved Final Crissy Field RAP.

5. Finding 9.a, Remedial Investigations, CERCLA Program Sites

The Firing Range Operable Unit is not discussed with the listed CERCLA sites and should be included.

RWQCB staff response to NPS specific comment No. 5

Comment noted. Text changed. A brief discussion on the five, small firing ranges has been added to CERCLA discussion.
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6. Finding 9.b, Petroleum Sites

The Building 207 Site Area was combined with the Building 231 Area following the removal of the Building 207 underground tanks in about 1996 or 1997, not in 1990 as indicated here.

RWQCB staff response to NPS specific comment No. 6

Comment noted. Text corrected to reflect UST removal “in or about 1996 or 1997.”

7. Finding 9.b.3, Petroleum Sites, Building 1065 Area

This discussion correctly indicates that quarterly groundwater monitoring is ongoing. However, the other sites which have ongoing groundwater monitoring are not called out in the other discussion sections.

RWQCB staff response to NPS specific comment No. 7

Comment noted.

8. Finding 9.b.4, Petroleum Sites, Building 1349 Area

There is no indication that the former FDS pipeline system was used to convey diesel fuel throughout the Presidio as indicated here.

RWQCB staff response to NPS specific comment No. 8

Comment noted. Text corrected to reflect that the Building 1349 AST was used to store diesel fuel for distribution by tanker truck.
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9. Finding 9.b.5, Petroleum Sites, Building 637/638 Area,

The discussion of the past activities at this site should also mention that the Army operated a groundwater skimming device to remove floating fuel products from the groundwater.

RWQCB staff response to NPS specific comment No. 9

Comment noted. Text was added to the TO describing the Army's operation of a groundwater extraction and treatment system in 1994. The system operated approximately nine months in the former tank and pump island areas and removed approximately 25 gallons of floating product.

Please note the discussion of past remedial activities provided in the TO is summarized from what is presented in the Trust's <i>Quarterly Groundwater Monitoring Annual Report, Fourth Quarter 2002</i>, dated May 2003. In the annual summary report, the site history of the Building 637 area does not mention operation of a groundwater treatment system. Furthermore, the Trust's January 24, 2003 <i>Draft Petroleum Plan – Presidio of San Francisco</i>, states the “Army did not treat groundwater” in the Building 637 discussion (see page 4).
--

10. Finding 9.b.7, Petroleum Sites, Fuel Distribution System (FDS)

the Work Plan cited in this section, provides a better description of the work that was actually accomplished by the Army regarding the removal of the FDS. Also, it is not clear how the proposed order addresses the Building 970/971 site, since this site is not fully addressed in the *Fuel Distribution System Closure Report*.

RWQCB staff response to NPS specific comment No. 10
--

Comment noted. Text will be revised to reference the document entitled “<i>Fuel Distribution System Closure Report</i>,” May 1999, IT Corporation.

Building 970/971 is a new issue for staff. During our July 10, 2003 conference call held between staff from the NPS, Trust, and RWQCB, it was decided to include the Building 970/971 site in the mini-CAP program.
--

Please note that a new task for contingency petroleum sites has been added to the TO for those unknown petroleum sites that are discovered after adoption of the TO.

11. Finding 12.d, Basis for Soil Cleanup Standards

The nature and extent of the proposed “long-term site-wide monitoring program” should be described. What type of long-term soil monitoring is envisioned and how will this differ from the monitoring that will be described in the individual site decision documents (RAPs and CAPs)?

RWQCB staff response to NPS specific comment No. 11
--

Comment noted. Text remains unchanged because it is consistent with the language used for the basis of soil cleanup levels in Order No. 96-070. Currently, staff envisions that the long-term site-wide monitoring program referred to in this Order is for groundwater.

12. Finding 12.d.3, Basis for Cleanup Standards, Soil Cleanup Levels for Protection of Water Quality Objectives at Detectable Levels and Soil Cleanup Levels for Protection of Water Quality Objectives at Drinking Water Standards.

There appears to be text missing regarding the description of the application of soil cleanup levels.

RWQCB staff response to NPS specific comment No. 12
--

Comment noted. It is staff's understanding that the 'missing text' referenced by the NPS refers to the discussion of groundwater basins and areas and their respective beneficial uses listed in Order No. 96-070. The discussion of beneficial uses has been moved to Finding 12.b. The 12.b beneficial use discussion was edited to be consistent with the San Francisco Bay Basin Plan (Region 2). Please note that the San Francisco Bay Basin Plan does not recognize an "ecological" beneficial use designation.

Table 3, as footnoted, applies to the Lobos Creek Groundwater Basin. Table 4, as noted, applies to the Coastal Bluff, Northeastern and West Valley Groundwater areas. Table 4 will be amended to reference the Marina Groundwater Basin. Reference to the Northeastern and West Valley Groundwater Basin will be deleted because they are subsets of the Marina Groundwater Basin.

Table 5 applies to the Crissy Field groundwater basin area. A reference to figure 2 will be included in the text.

13. Finding 12.d.5, Basis for Cleanup Standards, Point of Compliance Concentrations (POCCs) for Gasoline in Surface Waters and Sediments of the Proposed Freshwater Stream (Table 7)

This discussion of the POCCs for gasoline in freshwater does not accurately reflect what was required of the Army or resolve the issues that were identified by RWQCB staff and other stakeholders at the time of their development.

The development of the freshwater levels were not required by RWQCB Order 96-070 but bioassay tests were performed by the RWQCB in support of the Building 207/231 CAP.

As noted by Montgomery-Watson, for the Army, in January 1998 the Army was planning to use the results of the RWQCB chronic bioassay study to develop cleanup criteria for soil and groundwater. Although not clearly specified in the existing documents and not agreed to with the Army, the freshwater POCC level for TPHg should apply to groundwater within the freshwater ecological protection zone as well as to surface water in any stream flows in this area. The new order needs to address this issue and clearly specify requirements to the application of this cleanup level (as well as the TPHd and TPHfo levels to be developed pursuant to this order) to the groundwater in the freshwater ecological protection zone.

RWQCB staff response to NPS specific comment No. 13

Comment noted. TO text has been changed to recognize that the development of the freshwater levels were not required by Order No. 96-070 nor were the numbers developed for application along the entire proposed Tennessee Hollow riparian corridor.

Please note that the exact location of the proposed riparian corridor is currently being studied and has not yet been finalized. Furthermore, as the comment notes, there has been a long-standing issue surrounding on how the PCOCs should be applied (i.e., lateral distance from stream into surrounding groundwater, etc.).

In an effort to remedy this issue, staff has changed the language presented in Task 2 to better define the “zone of application” for the PCOCs.

The zone of application of cleanup levels will be determined on a site by site basis along the length of the proposed creek for each CAP, mini-CAP, and RAP (i.e., petroleum issues, only) site that borders the proposed creek or is crossed by the proposed creek. The zone of application approach will evaluate factors that influence/control creek functions, including but not limited to, gradient, lithologic composition/changes, recharge areas, etc. The approach will build upon the existing hydrogeologic information/knowledge compiled for Landfill E and other related ongoing studies completed along the Tennessee Hollow restoration corridor.

14. Finding 13 Cleanup Plan

This finding does not specify how this requirement applies to each of the named dischargers. If the dischargers do not agree to the same plan, are separate plans required? If one discharger defaults on the plan, how will the other dischargers be allowed to address the issue?

RWQCB staff response to NPS specific comment No. 14

Text noted. No change in text is required. Please note the language contained in Task 14 (Delayed Compliance).

Staff is confident, based on past site experience, that the named dischargers will agree on a common plan. Staff's experience has shown that:

a) The Army does not receive nor comment on petroleum plans and petroleum reports submitted to the regulatory agencies or RAB. The Presidio Trust Program Manager has reported that the Army is currently not copied on reports for previously identified petroleum sites. The Army gets involved when unknown contamination sites are identified or UXO, etc., are discovered.

b) Through internal agreement, the NPS participates in most stakeholder meetings, and nearly all meetings held between the regulators and the Trust. By agreement with the Trust, the NPS reviews and approves most, if not all, of the reports and plans issued by the Trust's environmental program. These reports are not currently routed through the Army.

c) Given that the Army/NPS/Trust working relationship is a mature one (has existed between all parties since 1999), staff is confident that issues of default and disagreement should not cause undue delay to the project. Staff witnessed only one issue (development of ARARs) between the NPS and Trust that resulted in a significant delay in a project DTSC deliverable. In that instance, the issue was eventually resolved through the involvement of the RAB.

Please note, the structure of the Task 1 comprehensive petroleum program presented in the TO, provides the Trust and NPS the opportunity to plan the petroleum program and establish compliance dates for future work plan/report submittals that both parties can meet. By working together, staff is confident that the petroleum program will move forward.

15. Finding 14 Cleanup Goals and Strategy

This finding indicates that the cleanup levels in this order are equivalent; however, it is not clear what they are equivalent to.

RWQCB staff response to NPS specific comment No. 15

Comment noted. The sentence "*Cleanup levels prescribed in this Order are equivalent...*" has been deleted.

16. Finding 16 Basis for 13304 Order

The NPS at the Presidio does not meet the definition provided here for application of this order.

RWQCB staff response to NPS specific comment No. 16

Comment noted. Please see staff response to NPS General Comment No. 1.

17. The order does not address the LTDD treated soils that were used by the Army as backfill for many of their petroleum remediation excavations. It is important that any requirements for management of these soils be clearly identified.

RWQCB staff response to NPS specific comment No. 17

Comment noted. Task 14 has been added to the TO for managing LTDD treated soil backfill sites.

18. Section B.2 Groundwater Cleanup Standards

The application of the conceptual groundwater cleanup levels proposed in this order appear to differ from those assumed for the basis of the soil cleanup levels presented in Order 96-070. The table of proposed groundwater standards for this order should specify numeric levels for petroleum cleanup to avoid any ambiguity; however, it appears that the uniform groundwater cleanup levels are proposed for most of the Presidio. The Army prepared the FPALDR document which presented numeric soil and groundwater cleanup levels. The soil cleanup levels were, in part, developed to be protective of groundwater at the FPALDR groundwater cleanup levels. For Order 96-070, there was an underlying assumption that groundwater protection in the Lobos Creek groundwater basin was to be more stringent than groundwater protection elsewhere within the Presidio because of the existing discharge of groundwater to Lobos Creek, the Presidio's water supply source. This is reflected in the different soil cleanup levels for Lobos Creek as noted in the footnotes to Proposed Tables 3 and 4. This proposed order appears to treat groundwater, other than Crissy Field groundwater, uniformly. How is this change in the cleanup criteria to be accommodated at sites which have already undergone cleanup? Also, specific groundwater cleanup standards should be identified for Presidio groundwater which is not included in the three groundwater basins listed in this section.

RWQCB staff response to NPS comment No. 18

Comment noted. Please see response to Army comment No. 22 and response to Presidio Trust General Comment No. 7 and Editorial Comment No. 10.c.

Please note that staff has not changed the soil cleanup numbers listed in Order No. 96-070. The one exception is the adoption of the provisional TPH-diesel cleanup levels for the saltwater ecological protection zone used under the Trust's Commissary Interim Cleanup. See staff response to Trust editorial comment No 20.a.

19. Section B.3, Cleanup Plan and Cleanup Standards, Soil Cleanup Standards

This section imposes the requirement that "active" remediation is required for all contaminated soils. The basis for this requirement is not clear. Passive remediation of certain soils may be an appropriate and cost effective remedy and should be allowed to be considered.

RWQCB staff response:

Comment noted. The term "actively" will be removed from the sentence.

20. Section C Tasks

Because of current funding and contracting constraints, NPS is unable to meet the schedule requirements for this order in the case that NPS is named as a discharger. In addition, NPS does not have legal authorization to act as lead agency for the performance of cleanup activities at the Presidio and time would need to be added to the schedules if NPS were to attempt to negotiate this authorization.

RWQCB staff response to NPS specific comment No. 20
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Comment noted.

21. Section C.2 Tasks, Workplan for the Development of Freshwater Corridor Surface Water and Sediment Point of Compliance Concentrations (POCCs)

The task here should be modified to reflect the needs of future cleanups in the freshwater ecological protection zone and include cleanup levels for groundwater to provide protection of the surface water resources. The plan should also incorporate and address as appropriate concerns and comments that were raised during the RWQCB and Army work to develop the Freshwater POCC for TPHg.

RWQCB staff response to NPS specific comment No. 21
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Comment noted. This comment is similar to NPS comment No. 13. Please see RWQCB staff response to comment on NPS comment No. 13.
--

22. Section C.4 Tasks, Interim Remedial Action Work Plan for Corrective Action Sites

It is not clear from the proposed order whether interim actions are required at all of the CAP sites. In several cases, NPS believes that there is sufficient information to move to the final actions for these sites without the need for additional interim actions.

RWQCB staff response to NPS specific comment No. 22
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Comment noted. Please note: Not all corrective action plan sites are required to follow an interim remedial action pathway. The choice of interim vs. final corrective action lies with the named dischargers.

23. Section C.13 Tasks, Five-Year Status Report

The Five-Year status report should be submitted five years after the implementation of the actions required by each CAP and not on the five year anniversary of this proposed order as currently required. NPS expects that some of the actions required by the future CAPs will not have even been fully implemented by the current proposed due date of this report.

RWQCB staff response to NPS specific comment No. 23
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Comment noted. The Five-Year Status Report compliance date has been adjusted to read Five years following EO approval of the final corrective action plans submitted under Task 6
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24. Section D.8 Provisions, Document Distribution

The requirements of this provision, that all documents pertaining to compliance with this order be provided to DTSC and the RAB is overly broad. The federal agencies will not provide internal, non-public, federal documents relating to this order to these non-federal entities nor to the RWQCB.

RWQCB staff response to NPS specific comment No. 24
--

Comment noted. It is the intention that the Board staff would receive final, not draft, in-progress reports pertaining to compliance with the specific tasks and requirements contained in the TO.

25. Figure 8

The first decision box (Fuel Constituents Only & No Commingling Plumes) should be reword to avoid changing the current practice at the Presidio for classifying Petroleum and CERCLA sites. Currently, the contaminant classification of the primary site contaminants is used to determine the classification of the sites. For example, Building 637 (a former fuel depot), was addressed as a petroleum site even though small amounts of CERCLA contaminants were present. This decision logic would require that the site have been addressed under the CERCLA program.

RWQCB staff response to NPS specific comment No. 25
--

Comment noted. Please see staff response to Trust comment No. 18b. The flow chart has been changed to account for the occurrence of low concentrations of non-petroleum hydrocarbons.
--

26. Figure 8

The current logic results in all sites, other than those located on Crissy Field, classified as residential use. This presents a difference from the approach allowed under the current SCRs. Note that the current SCRs also have a discrepancy in this regard on the logic figure. Will this require that past sites which were cleaned to recreation standards be revisited to ensure that these new residential standards are met?

RWQCB staff response to NPS specific comment No. 26
--

Comment noted. Please see response to Presidio Trust Editorial Comment No. 18.c. The logic has been corrected to account for independent residential and recreational pathways.
--

Please note: It is staffs opinion that sites that have been cleaned up to recreational standards will be "revisited" (relative to soil and groundwater cleanup standards) should site reuse be changed from recreational to residential.

27. Figure 8

For the logic presented for the Protection of Ecological Receptors, the logic should be expanded to include current, as well as the future ecological receptors that would be expected based on the planned land use.

RWQCB staff response to NPS specific comment No. 27
--

Comment noted. Staff deems no change in text is deemed necessary. Staff's view is that the logic presented is clear. Furthermore, staff is unaware of any problems related to the interpretation of the logic diagram relative to petroleum cleanups in either existing or future ecological areas of the Presidio.
--

28. Figure 8

The decision logic indicates that site specific action levels will be set for sites where groundwater or surface water have been impacted. How will these levels be determined and how will they differ from the water levels set by this order?

RWQCB staff response to NPS specific comment No. 28
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Comment noted. The decision logic shown on Figure 8 remains unchanged. Site specific decisions will be made that consider, and in appropriate situations, incorporate, the soil cleanup numbers presented in the TO and developed as part of this TO.
--

29. Table 2

Soil cleanup levels for saltwater aquatic receptors for several chemical parameters (diesel, benzo(a)pyrene, total PAHs, and lead are indicated as "TBD". What are the requirements of this order to determine these cleanup levels?

RWQCB staff response to NPS specific comment No. 29
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Comment noted. The "TBD" notation has been replaced in the Table 2 of the TO as agreed to in a conference call held on July 10, 2003 between NPS, Trust, and RWQCB staff.
--

30. Table 6

The units for the water cleanup levels should be expressed in µg/l.

RWQCB staff response to NPS specific comment No. 30
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Comment noted. Please see staff response to Presidio Trust Editorial Comment No. 20.b.

RWQCB Staff's Responses to:

U.S. Department of Army's June 16, 2003 Comment Letter on Tentative SCR

The following presents Regional Water Quality Control Board (RWQCB) staff's responses to comments received on the Tentative Order, Site Cleanup Requirements and Rescission of Order Nos. 91-082 and 96-070 for the property located at the Presidio of San Francisco.

Army Comment #	Page	Section	Comment
1	4	1	Delete or move to another paragraph the following sentence; <i>The Presidio Trust is in the process of converting the Presidio from an Army base to a financially self-sufficient National Park.</i> It has no bearing on the site description paragraph.
RWQCB staff Response:	Comment noted. Aforementioned paragraph has been moved to end of finding No. 2.		
2	4	2	Delete or move to another paragraph the following sentence: <i>The Presidio contains former landfills used by the Army for the disposal of municipal waste and construction debris.</i> It has no bearing on the history of the Presidio.
RWQCB staff Response:	Comment noted. No change to existing language will be made. Region 2 site cleanup requirement (SCR) order template requires a brief description of previous and current site owners/operators, previous site activities, and known contaminant releases.		
3	5	2	Delete the following from the last paragraph: ..., <i>while at the same time meeting the financial mandate of the Trust Act. The Trust Act requires that, no later than 2013, the Trust must be financially self-sufficient to support its operations and sustain the Presidio in perpetuity without annual federal appropriations.</i> It has no bearing on the history of the Presidio.
RWQCB staff response:	Comment noted. No change to existing language will be made. RWQCB staff believes that the mission of the Trust (i.e., mandate of Trust Act) is relevant to the site history and factors into the petroleum remediation time schedule that is required by Task 1 of the tentative SCR.		
4	7	7	Reference the last paragraph in section 7: Explain why it is felt necessary to do additional study of metal occurrences in groundwater.
RWQCB staff response:	Comment noted. No change in text. Additional studies of metal occurrences in groundwater will serve to evaluate any potential impacts from known pollution sites and confirm the results/conclusions of previous studies.		
5	7	7	Please revise your sentence: For example, U.S. EPA and Army studies of chromium in bedrock, and dissolved and hexavalent chromium in surface water and groundwater indicate that chromium is widespread at low concentrations in surface water and groundwater throughout the Presidio. The USACE study of naturally occurring

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Army Comment #	Page	Section	Comment
			hexavalent chromium did more than 'indicate' that dissolved and hexavalent chromium was widespread. In addition, a letter from DTSC stated that they agreed with the USACE conclusion regarding the sources of Cr ⁶⁺ .
RWQCB staff response:	Comment noted. Aforementioned paragraph will be modified as follows: "The studies further concluded that the serpentine bedrock is a source of hexavalent chromium detected in upland groundwaters."		
6	8	9a	I don't believe that any of the non-petroleum sites were directly under the federal CERCLA program. The entire PSF cleanup for non-petroleum sites was under the California EPA's DTSC remedial program. The US EPA was only involved as a technical support element to the State of California. Please clarify this.
RWQCB staff response:	Comment noted. No change in text deemed necessary. Finding 14, page 19 clearly defines the lead agency status of the Department of Toxics Control (DTSC).		
7	8	9. a. 1	The sentences... <i>At that time, the stakeholders did not consider the Main Installation Operable Unit draft Feasibility Study complete due to outstanding data gap and cleanup level issues. In an effort to complete the Main Installation Operable feasibility study, in 2000 and 2001, the Trust conducted additional remedial investigations within select Main Installation sites...</i> incorrectly states what actually happened. The Army and the USACE did not have an opportunity to complete the FS because of the decision to turn over the responsibility for final cleanup to the Trust and NPS. Revise this sentence to more accurately reflect the history of the site.
RWQCB staff response:	Comment noted. No change in text is necessary. The report dated March 2003 and entitled "Presidio Trust Revised Feasibility Study for Main Installation Sites" supports the statement as worded.		
8	8	9.a.1	Unless the regulatory oversight of the PSF has changed and the EPA is not in charge, the sentence... <i>Remaining remedial investigations under the Presidio CERCLA program include the Firing Ranges Operable Unit and the Miscellaneous Sites Operable Unit...</i> is incorrect. If CAL EPA is still the lead agency, then the cleanup is not under the Federal CERCLA program.

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Army Comment #	Page	Section	Comment
RWQCB staff response:	Comment noted. No change in text is necessary. On August 30, 1999, the Trust entered into a Consent Agreement with the DTSC and NPS. The Consent Agreement establishes responsibilities and procedures for cleanup of releases of hazardous substances and hazardous waste at the Presidio under CERCLA and RCRA.		
9	10	9.a.5	In the first part of the last paragraph, you state that the oil contained "...volatile and non-volatile <i>pollutants</i> ..." but a line or so later, you call other VOC and SVOCs "compounds". Please revise for consistency. Recommend you call all of them "compounds".
RWQCB staff response:	Comment noted. Text changed as recommended.		
10	11	9.b.2	Delete the reference to the Trust in this paragraph. It is not relevant who became aware of the gasoline-contaminated seeps at the marsh area. Also, clarify why would the Trust be conducting investigations in an area under NPS jurisdiction?
RWQCB staff response:	Comment noted. Reference to the Trust will remain unchanged. The Trust assumed responsibility for remediation of the NPS portion of the site (Area A) by signing the Presidio MOA and Area A MOA.		
11	12	9.b.2	Clarify what..." <i>evaluation contaminant attenuation characteristics of the 1925 sand</i> ..." means.
RWQCB staff response:	Comment noted. Text has been revised to correct a typographical error. Text now reads "... evaluating the contaminant attenuation characteristics of the 1925 sand..."		
12	13	9.b.3	Reference 4rth paragraph...change "chemical" to "petroleum".
RWQCB staff response:	Comment noted. Text changed to replace the word chemical with contaminant.		
13	14	9.b.5	Change " <i>Between 1993 and 1996, the Army performed several removal actions at the site, which include removal of approximately 3,225 cubic yards of hydrocarbon contaminated soil.</i> " to indicate that the Army and the US Army Corps of Engineers performed the site cleanup activities.
RWQCB staff response:	Comment noted. Text changed as recommended.		
14	15	9.b.6	Again, indicate that the Mini-CAP program was developed by the USACE.
RWQCB staff response:	Comment noted. Text change to include reference to U.S. Army Corps of Engineers.		
15	16	9.b.7	Indicate that the FPALDR was developed by the

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Army Comment #	Page	Section	Comment
			USACE.
RWQCB staff response:	Comment noted and the text changed to reference U.S. Army Corps of Engineers.		
16	18	12.a	The sentence "...it is unlikely that background levels of water quality can be restored." Leaves the wrong impression with the reader and is technically not supported by a large body of technical knowledge. All petroleum based and other VOC groundwater contamination will remediate itself to background eventually. It is the time frame for the degradation that is in question. Please delete this sentence.
RWQCB staff response:	Comment noted and text remains unchanged. The wording contained in Finding 12.a is consistent with internal SCR model language and guidance.		
17	19	12.c	This section..." <i>The groundwater cleanup standards for the site are based on applicable water quality objectives and are the more stringent of EPA and California primary maximum contaminant levels (MCLs). Cleanup to this level will result in acceptable residual risk to humans.</i> ...is not quite correct. Many of your soil cleanup goals for the protection of groundwater are not based on MCLs or (Board) water quality objectives. Most were derived via the use of a risk assessment. Please revise.
RWQCB staff response:	Comment noted and the text remains unchanged. Please refer to Provision B.2. (Groundwater Cleanup standards) Provision B.2 is consistent with the language provided in Finding 12.c.		
18	20	12.d.4	Please revise to indicate that the USACE developed the Report of Petroleum Hydrocarbon Bioassay and Point of Compliance Concentration Determinations, Saltwater Protection Zone, Presidio of San Francisco, California.
RWQCB staff response:	Comment noted and text changed as recommended.		
19	20	12.d.5	Again, indicate that the USACE developed the <i>Development of Point of Compliance Concentrations for Gasoline in Surface Waters and Sediments of the proposed Freshwater Stream.</i> " ...
RWQCB staff response:	Comment noted and the recommended change was incorporated into the TO.		
20	22	14	The sentence " <i>Cleanup levels prescribed in this Order are equivalent...</i> " seem to indicate that the

RWQCB Staff's Responses to:

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Army Comment #	Page	Section	Comment
			cleanup program for petroleum is similar to that of the CERCLA program. They are not...in fact the petroleum program is more closely aligned with RCRA. Please delete the sentence or revise.
RWQCB staff response:	Comment noted. The sentence "<i>Cleanup levels prescribed in this Order are equivalent....</i>" has been deleted.		
21	22	14	Reference " <i>The cleanup strategy also considers long term projected land usage and cost effectiveness of the overall corrective action process.</i> " The USACE and Army were frequently reminded that cost played little to no role in the selection or development of remedial alternatives. Request that the reference to cost be deleted from this sentence for historical and regulatory consistency.
RWQCB staff response:	Comment noted and the text remains unchanged. Consistent with the National Oil and Hazardous Substances Pollution Contingency Plan (NCP), a detailed analysis of remediation alternatives includes an evaluation of cost.		
22	23	B.2	Although commendable to cite drinking water MCLs as cleanup standards for the three groundwater basin/areas, the fact remains that this order pertains solely to petroleum contamination. There are few to no federal MCLs for petroleum products (e.g. gasoline, diesel, fuel oil). A clarifying sentence needs to be added that these MCLs pertain to those petroleum products that do have MCLs (e.g. benzen, toluene, etc.).
RWQCB staff response:	Comment noted and text remains unchanged. Those compounds for which an MCL is not available will be evaluated on a case-by-case basis.		
23	23	B.2	The Crissy Field groundwater area also should be included in this table as many of the soil cleanup criteria are based on a various risk based groundwater goals.
RWQCB staff response:	Comment noted. The Crissy Field groundwater area is unique given the observed high TDS values and is discussed separately in Finding 12.d.3.		
24	24	B.3	The sentence "... <i>The Discharger must actively remediate all contaminated soils to meet all cleanup levels.</i> "...implies that no passive remediation is allowed. As the petroleum cleanup program was and is being funded using public dollars, use of passive remediation may save dollars and result in a more efficient cleanup. Please remove the word "actively" in the referenced sentence.

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Army Comment #	Page	Section	Comment
RWQCB staff response:	Comment noted. The term “actively” has been deleted from the sentence.		
25	25	C.2	Change sentence to indicate that the report was done for the US Army Corps of Engineers.
RWQCB staff response:	Comment noted and the text was changed to reference the U.S. Army Corps of Engineers.		
26	26	C.6	It is unclear why the authors propose to treat petroleum sites as CERCLA sites. The sentence... <i>Items a through c should be consistent with the guidance provided by Subpart F of the National Oil and Hazardous Substances Pollution Contingency Plan (40 CFR Part 300), CERCLA guidance documents with respect to remedial investigations and feasibility studies, Health and Safety Code Section 25356.1(c), and State Board Resolution No. 92-49 as amended (“Policies and Procedures for Investigation and Cleanup and Abatement of Discharges Under Water Code Section 13304”).</i> This unnecessarily makes a straightforward Corrective Action Plan into a more complex ROD/RAP. The State already has a robust and clearly defined petroleum program...the CAPs developed for the Presidio of San Francisco should adhere to this program. Forcing petroleum sites into a CERCLA like program only wastes limited remedial funds.
RWQCB staff response:	Comment noted and text remains unchanged. The wording contained in Task C.6 is consistent with internal SCR model language.		
27	27	C.8	Please clarify the sentence reading... <i>“The report should provide sufficient data to support the mini-cap status for the site (i.e., no groundwater impact from petroleum releases to soil).”</i> I’m not aware of a “mini-CAP status” having anything to do with groundwater impacts. In addition, the cleanup standards derived in this new Order do not always adhere to “no impact” to groundwater. Perhaps this term should read “acceptable impacts”. Please clarify or revise.
RWQCB staff response:	Comment noted. Text as written remains unchanged. Specific site conditions (i.e., depth to groundwater, depth of soil contamination, nature of leak, etc.) are used in assessing the need to sample and test groundwater at petroleum release sites. This required information is used to support the mini-cap designation of the site. The information is also input into the Regional Board’s GeoTracker database as part of the closure process.		
28	29	13	Once more, it is not clear why a CERCLA

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			requirement (5 year status report) has been included here. The California State Petroleum Program regulations do not include a requirement for a 5 year review. This adds unnecessary costs to the project and should be deleted.
RWQCB staff response:	Comment noted. Text remains unchanged.		
29	30	D.7	This sentence now has the effect of prohibiting the use of immunoassay analyses for contaminated soils. Successful use of the IA test kits was demonstrated multiple times at the PSF for samples taken along the FDS and at other petroleum sites. It is not clear why the use of IA analyses are not encouraged here.
RWQCB staff response:	Comment noted. Text remains unchanged. The wording contained in Task CD.7 is consistent with internal SCR model language and SCR requirements.		
30	31	D.8	As the US Army is still named a discharger on this order, it still has financial and legal liability associated with cleanups at the Presidio. It would be reasonable to request that the US Army would also be on the distribution list for all documents. Please add.
RWQCB staff response:	Comment noted. US Army Corps of Engineers has been added to the distribution list as requested. Mr. Bruce Handel is listed as the contact person.		
31	38	Fig. 4	It is not clear why a map of the CERCLA (non-petroleum) sites is included in this order. This order only pertains to petroleum sites (non-CERCLA) thus the inclusion of a CERCLA site map may well confuse the public. It also may be interpreted that this Order somehow pertains to CERCLA sites. Please delete it.
RWQCB staff response:	Comment noted. Text remains unchanged. The tentative SCR pertains to petroleum contamination. Petroleum contamination can exist within CERCLA sites (i.e., landfills, fill-sites, etc.) as well as stand alone petroleum release sites (i.e., pipelines, underground storage tanks, above ground storage tanks, etc).		
32	46	Table 2	The 50 mg/kg value for lead needs to be changed. I was at the meeting that set that level and the selection of the value was a placeholder at that time (hence the original statement on Table 2 that said the discharger could propose an alternative cleanup level at a later date). There is no valid technical reason to keep 50 mg/kg, especially now that other tables in this order now cite lead values. Either remove the value and replace with TBD or

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Army Comment #	Page	Section	Comment
			use another number that is risk based.
RWQCB staff comment:	Comment noted. Text changed to allow the Dischargers to propose an alternative cleanup level pursuant to Task		
33	46	Table 2	Neither TBD nor a cleanup value is proposed for MTBE. Please clarify.
RWQCB staff response:	Comment noted. To date, staff is unaware of any reported detections of MTBE in surface or subsurface soils. In the event MTBE is detected in soil, a cleanup level determination for soil will be made by the project manager based on site-specific information.		
34	48	Table 4	Groundwater basins and areas are cited in this table that no longer will exist based on the revisions of this order. Please coordinate and revise.
RWQCB staff response:	Comment noted. Table 4 has been revised to be consistent with Figure 2 and the text contained in Prohibition B.2.		
35	--	--	In general a more well organized order than the original one. Cleanup levels established as a result of some very hard and technically challenging work by the USACE and Montgomery Watson have not changed.
RWQCB staff response:	Comment noted. Thanks.		
37	--	--	One area that has been changed relates to sampling requirements that were found in Part B of the original Order. The authors of this proposed revision have removed them. They served to standardize the sampling regime and eliminate disagreements on clearance sampling. If they are gone, the risk is now that time and money may be expended on working out clearance sampling protocols for each and every site. They should be reexamined, revised and placed back into the Order.
RWQCB staff response:	Comment noted. Task 16 has been added to the TO for contingency petroleum sites. The contingency site technical report will outline the actions to be taken in the event unknown petroleum contamination is detected at the Presidio, including validation soil and tank pit water sampling.		

RWQCB Staff's Responses to:
Mark Youngkin's June 3, 2003 Comment Letter on Tentative SCR, contd.

The following presents Regional Water Quality Control Board (RWQCB) staff's responses to comments received via email on June 3, 2003 from Mr. Mark Youngkin, (Presidio RAB Community Co-chair), on the Tentative Order Site Cleanup Requirements and Rescission of Order No. 91-082 and 96-070 for the property located at the Presidio of San Francisco.

Comment No 1 - Page 4, section 8: From 1776 to the late 1800s, groundwater supplied by two springs, El Polin and at Fort Scott, provided drinking water supply for the Presidio. Small reservoirs and redwood pipes were used to collect the spring water for transport to the reservoir at the Main Post and to Fort Point.
RWQCB staff response: Comment noted. RWQCB staff is familiar with the above reference to small reservoirs and redwood pipes (flumes) that were historically used to store/transport water from seeps and surface impoundments. Staff's familiarity with the "early water-supply days" at the Presidio is based on information provided in an article written by Eve Iversen, entitled "Water Supply at the Presidio of San Francisco," and from a historic resource study entitled "Defender of the Gate."
Although staff finds the historical importance of water collection and transport both interesting and significant, space limitations in the findings section of the TO do not allow staff to provide additional detail on historical groundwater/surface water usage. The Finding 8 text remains unchanged.
Comment No. 2 - page 4, section 8-a: During this same period, water mining also occurred within Tennessee Hollow with the construction of two water tunnels and two larger reservoirs.
RWQCB staff response: Comment noted. Please see staff response to comment No. 1 provided above.
Comment No. 3 - Page 5, first sentence: "Currently, there exist no groundwater supply wells located within the Presidio." This sentence should say no "active" groundwater supply wells. Production wells still exist at Lobos Creek including a new supply well installed circa 1994 by the NPS. Abandoned groundwater supply wells may also exist at Mountain Lake?
RWQCB staff response: Comment noted. Text changed as suggested to read, "... no active groundwater supply wells are located within the Presidio."
Comment No. 4 - Page 7, third paragraph: This paragraph discusses the vacuum-based VOC vapor removal system installed by the COE. This paragraph implies that this system operated properly for the time periods stated. In fact, research by the RAB indicates that the well was improperly installed and initial pump testing indicated inadequate flow to operate the system. However, the system was installed anyway and ran for several years at a substantial cost. We don't believe that any contamination was actually removed by this innovative technology.
RWQCB staff response: Comment noted.

No. 5 - Page 18, section 5: Figure 9 outlines the freshwater ecological protection zone with Tennessee Hollow. In the El Polin Spring area, the map fails to include several freshwater seeps. Is the map boundary a strict boundary or is any fresh water within Tennessee Hollow included in the protection zone. Does wording need to be added to explain this or the map boundary changed?

RWQCB staff response: Comment noted. The scale of the map provided on Figure 9 does not show the freshwater seeps to which you refer. The seeps to which you refer are depicted on Figure 3 (Groundwater seeps and surface water location map).

In staff's opinion, the Figure 9 freshwater corridor boundary is not fixed. The boundary shown defines an area in which a riparian restoration is proposed. Staff's understanding based on discussions with the NPS and Trust is that the exact location of the proposed creek has not yet been determined and a broader freshwater corridor was picked, not necessarily based on science, but to create a practical solution given the unknowns. Staff intends to expand Task 2 to include a study that focuses on how the freshwater POCC and sediment numbers should be applied (i.e., depth of sediment and distance from surface expression of creek). The study will, at a minimum, evaluate the effects/influences of geology, nature of sediments, stratigraphy, and gradient on the proposed cleanup values.

The wording of Figure 9 and related text will be changed, as appropriate, to explain the unknowns surrounding the map boundary.

No. 6 - Figure 3 - The underground section of Lobos Creek is shown as surface water while underground portions of other Presidio streams are not shown as surface water. Is stream water within a conduit not considered surface water?

RWQCB staff response: Staff considers that given the scale of Figure 3, the portion of creek that travels beneath Lincoln Blvd. does not warrant a different symbol. The vast majority of Lobos Creek flow that traverses the Presidio is not controlled by a buried pipe.

It is staff's opinion that a length of stream that is reconfigured, controlled, redirected, etc., through storm lines and other man-made buried channels/conduits, is not a surface water stream.

No. 7 - Page 4 or 5: Urban development surrounding and on the Presidio has resulted in coliform bacteria, nitrate and other various storm water pollutants (metals) that have impacted both surface water and groundwater in the Presidio (Lobos Creek, Tennessee Hollow, golf course). Is this information pertinent to the background sections of this order?

RWQCB staff response: Comment noted. Staff is both aware of these issues and concerned about these issues. Groundwater/surface water issues that potentially impact Lobos Creek, Mountain Lake, etc., will be handled through the CERCLA program. There is an ongoing dialogue between the DTSC and CalTrans re: Mountain Lake. Expanded Lobos Creek sampling and reconnaissance has been incorporated into the Five-Year Review for the Landfill 10 RAP.

This TO, much like the SCR 96-070, focuses primarily on a cleanup strategy for petroleum-contaminated sites at the Presidio. The cleanup strategy is based on surface and groundwater quality objectives, the protection of human health and the environment, and risk management.

Comment No. 8 - Battery Howe Wagner does not appear to be discussed in the proposed order. The Army said there was not enough production for groundwater to be useable in this area. Therefore the groundwater is not a drinking water resource. However, this was an average of wells, some produced zero and some were well above the production rate for drinking water. And these wells were not production wells either...they were test wells, not completed for production purposes. As proposed in the order, would the groundwater in the Battery Howe Wagner area be considered a drinking water resource.

Comment noted. Please see Finding 12.b (Beneficial Uses) Board Resolution No. 89-39, "Sources of Drinking Water," defines potential sources of drinking water to include all groundwater in a region, with limited exceptions for areas of high TDS, low yield, or naturally occurring high contaminant levels.

Having said that, if the groundwater at Battery Howe Wagner does not meet the exceptions listed above, staff considers the groundwater a potential drinking water source.

APPENDIX D

LOCATION MAP

